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3 **Selectboard Meeting**  
4 **August 1, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Kim Mercer (Chair), Catherine McMains, Tim Nulty

8  
9 **Others present:** Todd Odit (Town Administrator), Jennifer Murray (Planning and Development Coordinator), Amy  
10 Richardson (Secretary), Jim Carroll, Bert Lindholm, Mary Neighbours, Gail Shipman  
11

12 The public hearing was called to order by Ms. Mercer at 7:02 p.m.  
13

14 **1. Public Comment.**

15 Mr. Lindholm, representing cemetery activities, presented a petition and a request to the Selectboard. He read  
16 the petition requesting the Selectboard acquire, preserve, maintain, and provide for the Castle Cemetery. He  
17 stated the reasons for the petition. Mr. Lindholm cited the statutory authority requiring a request of this nature  
18 to be addressed by the Selectboard. He said the petition has 28 signatures, while State law requires three. He  
19 stated the concern, which they addressed with the Development Review Board (DRB), is maintaining access to  
20 the cemetery.  
21

22 Mr. Lindholm provided a transportation map showing a direct access off Route 15 into the center of the  
23 cemetery, a map overlaid with the current boundary lines, and an aerial photo from 1942 showing the access  
24 from Route 15. He said when this was brought to the DRB, they didn't have the maps. He said it was noted in  
25 the facts, but they didn't condition approval on maintaining the access. Mr. Lindholm noted the dirt driveway for  
26 the Church could be maintained, but it could become land locked due to the steep grade and would not be  
27 handicapped accessible. He stated there has been discussion between Mr. Villeneuve and the Church about the  
28 possibility of making an access, but he does not know the status.  
29

30 Ms. Mercer asked when the last burial there was. Mr. Lindholm said he didn't know, but it was several years ago.  
31 He noted that two of the signatures on the petition are descendants of the Brown family. Ms. Mercer asked who  
32 owns the land. Mr. Odit explained there are two parcels: the front parcel appears to be owned by the Brown's;  
33 and the ownership of the back parcel is unclear. Ms. McMains noted the Surveyor involved in looking at the  
34 boundary line with the Church, the Town, and Mr. Villeneuve indicated there is no clear title. Mr. Odit said it is  
35 still in the records, but it wasn't transferred to anyone. He stated it is still in the Brown's estate and there was  
36 money given to the Town to maintain their stones and plots.  
37

38 The Selectboard discussed the location of the Cemetery looking at the maps provided. Mr. Odit noted it looks  
39 like the path is on the Church property, which is where there currently is access to it and it is in the deed. Ms.  
40 Mercer said she read the Statute quickly and it sounds like we would publish a notice, then if no one comes  
41 forward to claim it we move forward. Mr. Odit agreed, discussing subsequent actions that would be needed. Mr.  
42 Nulty asked if the Brown's are aware of this. Mr. Lindholm said the Fay's, who are descendants of the Brown's,  
43 are aware, noting he is not sure if there are any other family members in the area.  
44

45 Mr. Odit said he would consult with the Town attorney and then move forward from there. He discussed what is  
46 being done in terms of maintenance now. Mr. Nulty asked if the Town takes it over, are we required to maintain  
47 access. Mr. Odit said he didn't know, but will check with the attorney. Ms. McMains said if it is a public burial  
48 place, we have to maintain it as such. The Selectboard agreed to move forward and thanked Mr. Lindholm for his  
49 efforts.  
50

Ms. Neighbours, representing the Conservation Commission, discussed the Science to Action Project sponsored by the Chittenden County Regional Planning Commission through E.C.O.S. (Environment. Community. Opportunity. Sustainability.). She said the field work has been done this summer and is coming together. She said part of the project was putting together a natural resource map for Huntington, Bolton, Richmond, and Jericho; and the other half was to put language into Town Plans or zoning regulations considering the information gathered. She said they wanted to let the Selectboard know what is happening and that they are working with the Jericho Planning Commission (JPC).

Ms. McMains said one of the goals of that project was to get some by-laws and language that the towns could use. Ms. Neighbours said there is also public outreach and she discussed events planned. She provided the Selectboard an updated schedule, noting that Ms. Murray has been the point person in Jericho. Ms. McMains said it is exciting. Ms. Neighbours stated the deadline is December 31<sup>st</sup>. Ms. Murray stated another exciting part of the project is that it brings together all of the other inventories the Conservation Commission has worked on for the last ten or more years. Ms. Neighbours said Jericho is ahead of many other towns in getting a seamless map of inventories.

Mr. Carroll made the Selectboard aware that there is a huge increase in the coyote population. He said he has seen three to four a week, noting they are very aggressive and fearless. He discussed some possible reasons for the increased sightings and the damage they can inflict. He stated the young ones are very brazen around people, discussing a situation he observed recently. Mr. Carroll said he does not know who in Town should focus on this issue. He said he spoke with the Fish and Game, noting there is no season and people can take them anytime. He stated people are underestimating how dangerous they are to animals and children.

Mr. Lindholm said there have been some notes on Front Porch Forum about them. Mr. Carroll said he used to see them in the winter, noting they are 45-50% timber wolf, pack hunters. He discussed the wild nature of the animal. Ms. Mercer stated she hears them near her home, noting a lost pet. She said it is something to be aware of. Ms. McMains stated most people don't know they do not need a license. Mr. Carroll said he got a license anyway, noting that once they get something, they will keep coming back. Ms. Mercer asked how big they are. Mr. Carroll said small ones are 35-40 pounds and full size is close to 70 pounds. Ms. Mercer said that is big. Mr. Carroll discussed the size and shape, including their teeth, noting they are easier to get when they are distracted by prey.

## **2. Acceptance of Skunk Hollow Paving/Speed Table Bid.**

Mr. Odit said he spoke with the low bidder for this project and they are willing to honor the contract subject to the same price adjustment through the end of the fiscal year. Ms. McMains clarified the goal is to see how things come out with the damages and postpone the work until spring. Mr. Odit agreed, noting that hopefully the Highway Department will have some time to work on it in the fall. He discussed the delay resulting from repairs needed due to storm damage and some repairs scheduled for Skunk Hollow Road next week. Ms. McMains asked if culverts are being upsized when they are being replaced. Mr. Odit said yes, discussing the types of culverts to be used and the change in angle. Ms. McMains stated she thinks the Town should upsize culverts when they are replaced

On a **motion** by Mr. Nulty, seconded by Ms. McMains, **the Selectboard accepted the staff recommendation to award the bid for the Skunk Hollow Paving Project to Pike Industries in the amount of \$374,791 with the final cost being subject to the vTrans Index Price when the work is completed.** The motion passed 3-0.

## **3. Acceptance of Skunk Hollow Splitter Island and Related Work Bid.**

Mr. Odit said these contractors are also willing to honor the same price unless there is a change in granite. He stated the bids were pretty close. Ms. McMains noted it is nice the change in schedule does not impact the paving grant. Mr. Odit agreed.

101 On a **motion** by Mr. Nulty, seconded by Ms. McMains, **the Selectboard accepted the staff recommendation to**  
102 **award the bid for the Skunk Hollow Splitter Islands in the amount of \$36,450 to J. Hutchins, Inc.** The motion  
103 passed 3-0.

104

105 **4. Acceptance of 2013-2014 Sidewalk Plowing Bid.**

106 Mr. Odit said sidewalk plowing for 2013-2014 winter was put out to bid. He stated the low bid was Craig Cowles,  
107 who did the work last year, noting this year's bid is lower than last year. He said the budgeted amount is  
108 \$14,000. The Selectboard and Mr. Odit discussed the bids and work.

109

110 On a **motion** by Ms. McMains, seconded by Mr. Nulty, **the Selectboard awarded the 2013-2014 winter Season**  
111 **Sidewalk Snow Removal Services bid to Craig Cowles, per his bid of \$12,400 dated July 26, 2013.** The motion  
112 passed 3-0.

113

114 **5. Approve Repeal of School Impact Fee Ordinance.**

115 Mr. Odit discussed the process to repeal an ordinance. Ms. Mercer asked whether the school system was  
116 contacted. Mr. Odit said he sent a letter to the Chittenden East Supervisory Union (CESU) and has not received a  
117 response from them. Mr. Nulty said it is a non-issue nowadays.

118

119 On a **motion** by Ms. McMains, seconded by Mr. Nulty, **the Selectboard repealed, in its entirety, the School**  
120 **Impact Fee Ordinance adopted August 15, 1990 and as further amended.** The motion passed 3-0.

121

122 **6. Select Riverside Form Based Code Consultant.**

123 Ms. Murray stated this is a very exciting project. She discussed the funding for the project. She said request for  
124 proposals (RFP) were sent out and four responses were received, which she discussed. Ms. Murray noted that  
125 two of the companies rose to the top due to their experience and ability to manage both pieces of the project.  
126 She stated she attended a form based code presentation from one of those two companies and was impressed.  
127 She discussed the benefits of working with that company and their qualifications, recommending the company.  
128 Ms. Murray noted some other local projects the company has been involved in, stating they helped her with the  
129 RFP and the initial grant applications. She said they were very responsive.

130

131 Ms. McMains said coming up with a regulatory plan will be important. Ms. Murray stated she is aware there is a  
132 lot of planning fatigue in this area and this project will combine planning with results. The Selectboard agreed  
133 and discussed the matter further with Ms. Murray. Mr. Lindholm asked about form based code. Ms. Murray  
134 described it and compared it to the current zoning. She also discussed difficulties with the current process. Ms.  
135 Mercer noted it is not always cohesive. Ms. Murray said it is hard to marry use based zoning with the vision of  
136 the Town. She discussed the results. Ms. McMains said it is more European.

137

138 Ms. Mercer discussed a presentation she attended which encouraged livable space that people are attracted to  
139 and that feeds the livability and sustainability of the community. Mr. Lindholm noted that it would not give a lot  
140 of variety, or end up with the cookie cutter approach. Mr. Nulty said, at its worst, it could look that way. Mr.  
141 Lindholm stated that Route 15 in Jericho has a lot of variety and he does not want to lose that. Ms. McMains  
142 said, at its best, it is a vibrant, livable, sustainable community. She discussed the mix of uses and encouraged  
143 participation in JPC hearings. The Selectboard discussed the benefits of form based code.

144

145 Mr. Carroll stated he hopes we do not get distracted with re-writing something and forget that we are supposed  
146 to be able to walk from Joe's to the center and bike to MMU. He said a lot of things have been engineered that  
147 are not getting done. He discussed the challenges to multi-modal accessibility, noting Jericho does not have the  
148 infrastructure of Burlington or Newport. Mr. Carroll said we need to figure out how to implement some of these  
149 plans. Ms. Murray explained that form based code creates a plan about public space and how it interacts with  
150 private investment. Mr. Carroll noted there still is not high speed internet in Jericho, which was promised. He

151 said water, sewer, and transportation solutions are relatively obvious. Mr. Odit stated the first public meeting for  
152 the transportation plan will be coming up and encouraged participation. Ms. Mercer said these projects are  
153 occurring together.

154

155 On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard accepted staff recommendation to  
156 approve the selection of TPUDC as the consultant for the Riverside/Underhill Flats Master Planning and Form-  
157 Based Code project. The motion passed 3-0.

158

## 159 7. Review Lower Bolger Hill Drainage Concept.

160 Mr. Odit said with all the rain we have had, this area has been an issue, as it has in years past. He discussed the  
161 problems with this area, noting Mike and Doug brainstormed to see what could be done to address this issue.  
162 He stated the design is a concept. Mr. Odit explained the general idea is to create a "T" from the "Y"  
163 intersection, allowing curbing and drainage. He said it would also pave to the top of the first knoll to keep the  
164 gravel from washing down into the road. He discussed other aspects of the design, including curbing, ditching,  
165 and drainage.

166

167 Mr. Nulty asked if it is conceivable the drain can be big enough for the water that comes down there. He noted  
168 that a 2' culvert was washed out and asked how big the drain is. Mr. Odit said they have not specified the sizes  
169 yet. The Selectboard and Mr. Odit discussed the design and the area.

170

171 Ms. Shipman clarified the location. Mr. Odit said it would be 300' up at the top of the knoll, running down into a  
172 catch basin. Ms. Shipman asked about runoff, discussing wash outs that are currently happening on both sides of  
173 the road. She said the berm is starting to wash out again. Mr. Nulty noted the curb would serve the same  
174 purpose of the berm. Mr. Odit and Mr. Nulty discussed possible solutions. Ms. Shipman discussed issues  
175 encountered during recent storms and efforts to fix the area. Mr. Nulty said the concept has merit, noting that  
176 what is there is not working.

177

178 Mr. Lindholm asked if there would be a culvert across the green. Mr. Odit said yes. Mr. Lindholm noted the  
179 water line for the Library runs across the green. Mr. Carroll said they would locate it and dig underneath it. Ms.  
180 McMains noted it would impact the trees also. Mr. Carroll discussed an easement from the Town to the Church,  
181 noting that at least two engineering studies were already done for the area. He stated that traffic and speed are  
182 also a problem on Bolger Hill Road. He said while dealing with the stormwater issues we should not create an  
183 increased hazard for pedestrians. Mr. Carroll also said pavement should not facilitate increased speed. Mr. Odit  
184 said that is the purpose of the "T" intersection.

185

186 Mr. Carroll asked about the possibility of three stop signs and bending the road away from the Loffler's so it  
187 would not be straight from his driveway to the Center. He discussed speeding concerns and previous efforts to  
188 improve the road. He suggested some of the visibility, speed, and traffic issues should be solved while fixing the  
189 stormwater issues. Mr. Carroll discussed alternative drainage concepts, impact on water, and containment of  
190 pollution. He asked that the grader not be used on the road once it is improved. He said there are much better  
191 practices to use for road maintenance. Mr. Carroll discussed concerns with the road, the culverts, road  
192 maintenance, and storm events. He noted other materials that could be used and how effective they could be  
193 versus current materials. He said this is an opportunity for better practices that will last longer.

194

195 Mr. Carroll stated he also wrote to the Town about a recreational lane and turnouts. He said a lot of work has  
196 been done, but they need to get in and vegetate it. He discussed the stormwater impacts and where the water is  
197 flowing now. Mr. Carroll discussed vegetative swales versus ditching. He also discussed other possible solutions.  
198 Mr. Odit stated gravel road maintenance will be part of the transportation plan discussions. Mr. Carroll said years  
199 ago different practices were used and there were fewer issues. Ms. McMains said that is the reason for the  
200 transportation study.

201 Ms. Mercer shared Mr. Carroll's concern about re-thinking how we are ditching. She said she is learning about  
202 stormwater and has concerns about rebuilding the same way. She discussed climate uncertainty. Ms. Mercer  
203 said she does not know which proposal is best in terms of budget, personnel, and environment. She said she  
204 does think that grading gravel into the ditches doesn't make sense. She stated that whatever we do when we fix  
205 these roads, we need to have engineers review.

206  
207 Mr. Carroll said there is information about Better Back Roads on the Agency of Transportation's website. He  
208 discussed practices that would help avoid erosion issues going forward. He stated there is a need for public  
209 works standards. Mr. Carroll said there are grants available for the Better Back Roads project, which the Town  
210 may or may not have gotten. He said he has pictures documenting the erosion problems on Bolger Hill Road.  
211 Ms. Mercer said she has not been up there since it was fixed, clarifying that Mr. Carroll believes the material will  
212 wash out. Mr. Carroll stated it already has. He discussed the flow of water and how it concentrates. He said it  
213 needs to be kept thin, spread out, and diversified.

214  
215 Mr. Carroll discussed efforts taken on his land to divert water and stop flooding or erosion issues. He said our  
216 ancestors did this well in the past without modern equipment. Ms. Mercer asked where his pond drains. Mr.  
217 Carroll discussed where the water flows from his pond. He discussed further his concerns about how the road is  
218 being maintained and methods used previously that were more effective. He said we are creating a pollution  
219 problem and filling areas that store water with eroded materials. Ms. Mercer said she would look at the Better  
220 Back Roads information and thanked everyone for their comments.

221  
222 Mr. Carroll said he is not complaining or giving anyone a hard time, just passing on some history. He said people  
223 are working hard and doing a good job, but the weather is not cooperating. Ms. Shipman stated they have not  
224 cleared up the mess on their lawn from the July 4<sup>th</sup> storm and waited to see what will happen. She said the  
225 material washed up again last week. She asked what is going to happen in the short term. Ms. Mercer clarified  
226 the property location. Ms. Shipman stated it is at the bottom of the hill. Mr. Odit said if there is enough interest,  
227 they can refine the design based on comments from tonight. Ms. Shipman said they can contain the road now,  
228 but if the Town grades it, it will be undone. She discussed their efforts to minimize the damage.

229  
230 Mr. Nulty asked about the cost. Mr. Odit said he did not have an estimate yet, noting the majority will be for  
231 excavating for the culvert. Ms. Mercer noted the cost for moving the utility poles. Mr. Odit stated that will not  
232 cost the Town, but it will take time to get the companies to move them. The Selectboard discussed the matter  
233 further with those present. The Selectboard agreed to look into short and long term solutions. Ms. Mercer  
234 noted the importance of understanding and applying better practices to our ditching. Mr. Carroll stated the  
235 Town might qualify for some federal funding. Mr. Nulty said we are good at that, so if there is some available we  
236 will try to get it.

237  
238 **8. Approve minutes of 6/20/2013 and 7/11/2013.**

239 On a **motion** by Ms. McMains, seconded by Mr. Nulty, **the Selectboard approved the minutes of 6/20/2013 as**  
240 **amended.** The motion passed 3-0. On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard**  
241 **approved the minutes of 7/11/2013 as written.** The motion passed 2-0; Ms. McMains abstained.

242  
243 **9. Other Business.**

244 Mr. Odit stated the Harvest Market information was provided to the Selectboard members in their packet, noting  
245 it is an annual request.

246  
247 Mr. Odit said he received quotes on more radar feedback signs. The Selectboard and Mr. Odit discussed the cost  
248 and features of the signs. Mr. Odit explained the cost structure, including the annual fee and reporting available.  
249 The Selectboard and Mr. Odit discussed the matter further. Ms. Mercer suggested tabling the matter for now.

250

251 Ms. McMains asked if the Library would start looking for new trustees following a resignation. Mr. Odit said yes.  
252 Ms. McMains noted there has been a lot of changeover.  
253  
254 **10. Approve Warrants of 7/26/2013 and 7/25/2013.**  
255 The Selectboard members present signed the warrants.  
256  
257 On a **motion** by Ms. McMains, seconded by Mr. Nulty, **the Selectboard entered Executive Session at 8:23 p.m.**  
258 The motion passed 3-0.  
259  
260 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard exited Executive Session at 8:47 p.m.**  
261 The motion passed 3-0.  
262  
263 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard adjourned at 8:47 p.m.** The motion  
264 passed 3-0.  
265  
266 Respectfully Submitted,  
267 Amy Richardson

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**Selectboard Meeting**  
**August 15, 2013 at 7:00 p.m.**  
**Jericho Town Hall, 67 Vermont Route 15**

**Members present:** Kim Mercer (Chair), Catherine McMains

**Others present:** Todd Odit (Town Administrator), Meredith Birkett, David Villeneuve, Leslie Allen, Robin Bartlett

The public hearing was called to order by Ms. Mercer at 7:0x p.m.

**1. Public Comment.**

**2. Update on Jeffersonville-Burlington Commuter Route.**

Ms. Birkett, Director of Planning & Marketing at Chittenden County Transportation Authority (CCTA), provided an update on the Jeffersonville-Burlington Commuter Route. She discussed general route information. She stated they are working with Mr. Villeneuve to secure some commuter parking on his property in Underhill Flats. Ms. Birkett said they will go before the Development Review Board (DRB) next week. She said they have not been able to find a commuter parking area in Jericho Village, but they will put a bus stop on Route 15. She said they have tested it a few times near the school, noting the benefits of that location.

Ms. Birkett stated CCTA continues to participate in the Chittenden County Regional Planning Commission (CCRPC) park-and-ride study to identify a long term solution, noting the dates of some upcoming meetings. She discussed the next steps, including the internal CCTA approval process. She stated they will be ready to start the service on Monday, October 14, 2013. Ms. Birkett discussed efforts to make the public aware of the route.

Ms. Mercer asked if there is a bike rack on the front of the bus. Ms. Birkett stated there are two per bus and they are on a first come, first serve basis. Ms. Mercer clarified the rack can hold only two bikes. Ms. Birkett said that is correct. She said they are proposing some free-standing bike racks on Mr. Villeneuve's property, noting they are required by the zoning regulations. Ms. Mercer asked if the bus will stop at the local stops in Essex and beyond. Ms. Birkett said they try to limit the number of local stops on commuter routes. She stated the CCTA website lists of bus stops and estimate times. Ms. Mercer clarified the impact of stops on the timing. Ms. Birkett referenced the route map. Ms. Mercer asked about the cost of a bus ticket and bus passes. Ms. Birkett and the Selectboard members discussed costs of bus passes.

Ms. Birkett said the public meetings will discuss parking further. Ms. McMains stated the Energy Task Force (ETF) has discussed whether they should be more active in the CCTA process, noting previous efforts. Ms. Mercer discussed parking in Burlington that incorporated solar panels. The Selectboard discussed the matter further. Ms. McMains said another question the ETF had was whether people will park at the Town Hall and Church until a parking solution is implemented. She said the Selectboard will need to decide if there are any spaces available for a short term solution. Mr. Odit said there are probably a couple of spots available that could be designated, noting there are times it might be difficult. He and the Selectboard discussed the matter further. Mr. Odit suggested some possible options to make additional spaces available.

Ms. McMains said the Town is trying to find parking solutions. Ms. Birkett said that is difficult in every town. Ms. McMains said we are hopeful the service will reach the target number of riders. Ms. Birkett stated it always takes a few years. She and the Selectboard discussed other commuter routes.

51 **3. Approval of Fiscal Year 2013 (FY13) Fund Transfers.**

52 Mr. Odit explained the proposed transfers are what were budgeted, noting the only transfers to the reserve  
53 funds are the restricted funds. He discussed those transfers. He stated the other transfers are to the general  
54 fund from the reserve funds. Mr. Odit explained those transfers. He said the result of all of that is a net transfer  
55 to the general fund. He explained the general fund balance is positive, so it is not really necessary to make the  
56 transfers out of the reserve funds into the general fund. The Selectboard and Mr. Odit discussed the reasons for  
57 the positive general fund balance.

58  
59 Mr. Odit explained that typically the majority of the prior year's unrestricted fund balance is transferred to the  
60 reserve funds, leaving it near zero. He recommended that not be done this year in case there are delays in  
61 receiving Federal Emergency Management Agency (FEMA) monies, or the amount received is less than  
62 anticipated. He noted that the Selectboard can make transfers at any time during the year. Mr. Odit said there  
63 is no need to make the transfers shown in red. Ms. Mercer clarified the transfers put the monies into different  
64 pots. Mr. Odit agreed, saying that without making those transfers the Town is in fine shape. He discussed some  
65 examples. He and the Selectboard discussed the matter further.

66  
67 Ms. McMains asked about the bridge replacement transfer to general fund of \$65,000. Mr. Odit explained the  
68 plan was to do some bridge work using Town money, noting grant funding was approved. He said the project  
69 was not done, but it will be done using the grant funding for engineering and construction. Ms. Mercer clarified  
70 the recommendation. Mr. Odit said staff recommends just doing the transfers from the general fund to the  
71 reserves for record restoration and reappraisal. The Selectboard and Mr. Odit discussed the transfers, the fund  
72 balances, and the long term implications.

73  
74 Ms. Mercer asked what the recommended general fund balance is. Mr. Odit said it is generally about 10% of the  
75 operating budget, noting the Town has a \$3 million operating budget. He discussed the fund balance previously,  
76 noting that after this summer we should consider keeping a little more than the 10% in the unrestricted. He  
77 further discussed the staff recommendation with the Selectboard members. Ms. Mercer clarified that the Town  
78 cannot move money out of the reserve funds for anything other than what it was intended for. Mr. Odit and  
79 Ms. McMains agreed.

80  
81 Ms. Mercer clarified the 10% is maintained to cover emergencies and under budgeted amounts. Mr. Odit  
82 agreed. Ms. Mercer asked why we would use the emergency money for things we budgeted to spend the  
83 reserve funds on. Ms. McMains explained the general operating budget, once the transfers are made; it is a  
84 pool of money where the various expenses are then paid from. The Selectboard continued discussion of the  
85 transfers. Mr. Odit discussed the fund balance with the proposed transfers. He said the Town has spent close to  
86 \$400,000 with all the storm repairs this summer, noting the unrestricted fund balance is not an unreasonable  
87 amount.

88  
89 Ms. Mercer asked where the money is coming from, noting it will be reimbursed. Mr. Odit explained the money  
90 has come from the fund balance and projects that were postponed. Ms. Mercer clarified we need a bigger fund  
91 balance. Mr. Odit and Ms. McMains agreed. Mr. Odit noted the timing of tax payments really helped with cash  
92 flow. The Selectboard and Mr. Odit discussed the matter further.

93  
94 On a motion by Ms. McMains, seconded by Ms. Mercer, **the Selectboard approved the proposed FY13 year-end**  
95 **transfers to reserves for the restricted Record Restoration Fund and the Reappraisal Reserve.** The motion  
96 passed 2-0.

97  
98 **4. Update on May Rainstorm Expenses.**

99 Mr. Odit said the total amount submitted to FEMA for the May storm was approximately \$93,000. He stated  
100 there are some other expenses that resulted from the storm, but were too small to submit to FEMA. He stated



the \$93,000 does not reflect the full cost. Ms. Mercer asked where that damage was. Mr. Odit said it was from small wash outs in many different locations. He stated that if the full amount is approved, the Town will have to match 10%, or \$9,300. He discussed the meeting he attended about the damages from the June and July storms, noting the estimate is \$300,000. Mr. Odit said the estimate also includes some mitigation work done that we will try to get reimbursed for, noting it is a good investment either way.

Ms. McMains agreed, saying we thought the May storm damage was impressive until the June and July storms happened. She asked about the Governor Peck Road reimbursement being different. Mr. Odit said because it is a Federal Aid Highway and is eligible for funding through the Federal Highway Administration; it is not eligible for FEMA reimbursement. He said he met with the State and has the paperwork to file, discussing the State's efforts and the meeting he attended. He also discussed the timing for submitting the request for reimbursement. Ms. McMains asked if the paved roads would get a coat of asphalt before winter. Mr. Odit stated that was being done today. Mr. Odit and the Selectboard discussed which roads were damaged in which storms. Mr. Odit said he would provide updates to the Selectboard as more information becomes available.

##### **5. Discussion of Preliminary Fiscal Year 2015 (FY15) Capital Projects.**

Mr. Odit stated he provided a very general list at this point. He said it includes the typical paving list, discussing the list that was prepared last year using the paving condition index. Ms. McMains said it is great that the list is based on the condition of the road. Mr. Odit said the intent is to do a mix of main roads and development roads each year so that neither one falls behind. He said the estimate is about \$200,000.

Mr. Odit said there is the question about Jericho Center, noting the residents will likely attend the next meeting. He discussed the money budgeted and the additional design efforts since then to address the concerns. He said now the question is what should be done. Mr. Odit discussed various efforts already implemented or in process of being implemented. Ms. McMains noted the crosswalk could be repainted. Mr. Odit agreed, saying that will be done soon and was delayed due to the storms. He said the residents will be back to discuss the issue with the Selectboard. Ms. Mercer requested that the topic be added to the agenda when they plan to attend. Mr. Odit said he would check with them and add it to the agenda. Ms. McMains said the drainage concerns also need to be addressed.

Mr. Odit stated the bridge work for #14 is included. He said the equipment schedule allows for the purchase of a new tandem truck. He discussed which truck is being replaced and the possibility of keeping that truck, noting the reasoning. Mr. Odit discussed the matter further with the Selectboard. Ms. McMains mentioned that the Town might want to consider purchasing a smaller grader, asking whether we could share one with Underhill. Mr. Odit said that is something that could be considered.

Ms. McMains asked whether improvements to gravel roads should be included. Mr. Odit said he thinks that in the general budget we could increase the budget for gravel, culverts, and hired equipment. He discussed possible approaches to improving gravel roads with the Selectboard members. Ms. McMains asked whether any work has been done on Packard Road towards Raceway. Mr. Odit said no, noting the problem there is that it is flat. He said the culverts there are open for the most part, but there is just nowhere for the water to go. He said they did work on the cross culvert on Packard Road near the high school because that did fail before all the rain. Mr. Odit stated it might not qualify for FEMA reimbursement, but it needed to be done and we had the resources available to do it.

Ms. McMains said overall the improvements to Nashville Road have been great, but there is still one area that needs some work, noting the location. Mr. Odit said if the Selectboard decides to put more money in the budget to contract some work, perhaps we could work on both aspects. Ms. McMains suggested the section could be worked on in FY15 because it is really a problem in the spring.

151 Mr. Odit said with sidewalks and paths, the only project on our plate at this time is possible construction of the  
152 section in Jericho Center from Plains Road to Pratt Road. Ms. McMains asked whether the funding was only for  
153 engineering. Mr. Odit said the funding was for design and construction. He gave an update on the project  
154 status and the timing. Ms. Mercer asked whether we would have more sidewalk plans when the transportation  
155 study is done. Mr. Odit said yes, noting the pedestrian plan would be part of that study and will help prioritizing  
156 sidewalk and path projects. He explained that is why no other projects have been planned at this point, waiting  
157 to see what the priorities will be. The Selectboard and Mr. Odit discussed the matter further.

158  
159 Mr. Odit said with buildings and property, the Library is listed. He stated at the next meeting the combined  
160 recommendation for the library can be discussed. He said Mobbs improvements are also included. Ms.  
161 McMains asked how long the Town has to get the Library compliant with Americans with Disabilities Act (ADA).  
162 Mr. Odit said there is no enforcement, but we are working on a plan to comply. Ms. Mercer asked if a preferred  
163 alternative was chosen. Mr. Odit stated there was a general consensus of those who attended, so the architect  
164 is going to implement the comments and return with a design to present to the Selectboard. Ms. Mercer asked  
165 if there is a grant for that project. Mr. Odit stated there is a grant for the design and there are other grants  
166 available for construction. The Selectboard and Mr. Odit discussed the project further, including timing, funding,  
167 and costs. Ms. Mercer asked if the Deborah-Rawson Library expansion was approved. Ms. McMains stated it  
168 was not approved.

169  
170 **6. Castle Cemetery Update.**

171 Mr. Odit stated he spoke with Greg about the Castle Cemetery petition, noting it was his opinion that the statute  
172 did not apply because the cemetery has not been abandoned. He relayed that Greg didn't feel the process for  
173 advertising applied and suggested the Selectboard skip that step, appoint some Cemetery Commissioners and  
174 charging them with the care of the cemetery. He explained that without Commissioners it defaults to the  
175 Selectboard. Mr. Odit discussed the process for making appointments and the timing. Ms. McMains suggested  
176 appointing members until the next election.

177  
178 Ms. McMains and Ms. Mercer agreed that three would be an appropriate number to start with. Ms. McMains  
179 discussed advertising for the positions. She said the concern was also about access, asking whether the  
180 Commissioners could address that. Mr. Odit said they could. Ms. Mercer asked if there are plots there for future  
181 burials. Mr. Odit said there is. Ms. Mercer asked who handles the sale of plots. Mr. Odit said that is something  
182 the Commissioners will need to handle. The Selectboard and Mr. Odit discussed the matter further.

183  
184 Mr. Villeneuve asked about the petition, noting that he is an adjoining landowner. He asked if he could get a  
185 copy of the petition. Ms. Mercer stated there is a State statute that says if a cemetery is abandoned that three  
186 people can petition the Selectboard to take over the cemetery and maintain it. She discussed the concerns  
187 raised when the petition was presented to the Selectboard. She explained that since the cemetery has not been  
188 abandoned, the Selectboard can appoint people to handle the maintenance and access.

189  
190 Mr. Villeneuve asked who the petitioners were. Ms. Mercer stated a number of residents signed the petition.  
191 Mr. Odit said the development on the adjacent property brought to light that there is no one actively overseeing  
192 the long term care and planning for the cemetery. Ms. Mercer noted the other cemeteries in Town have  
193 committees and people who oversee them and maintain the roads.

194  
195 Mr. Allen representing the Church, asked about the discussion with a lawyer about setting up a Commission and  
196 maintaining access and what the Selectboard has in mind for the future access to the cemetery. Ms. Mercer  
197 stated that would be something the Commission would need to make a recommendation about and the  
198 Selectboard would have to approve or decline. Mr. Allen said if the cemetery is landlocked what did the lawyer  
199 recommend. Mr. Odit said the general discussion that there is access granted in the deed for the Church. He  
200 said it is very general so it would be a good idea to clarify what the access is for the Church and for the Town.

201 Ms. Mercer asked if we could recreate the road that is straight off Route 15. Ms. McMains stated that is what  
202 goes through Mr. Villeneuve's property. The Selectboard and Mr. Odit discussed the access issue further,  
203 including some of the reasons the concerns were raised. Ms. Mercer stated that anyone interested could apply  
204 for the Commissioner positions. Ms. McMains asked Mr. Odit to advertise and to notify the primary petitioner  
205 what action was taken.  
206  
207 Mr. Villeneuve asked for an update from the Selectboard about the property line concerns he raised six months  
208 ago. Ms. McMains stated the Town and the Church have signed and gave the document to Mr. Villeneuve to  
209 sign. Mr. Odit said he met with Mr. Villeneuve last week and he had a difference in opinion about how the Town  
210 presented it, saying that all he cares about is getting the corners in. He stated he contacted the Surveyor  
211 yesterday and he will post the monuments as soon as he has time. He said the Surveyor will contact Mr.  
212 Villeneuve.  
213  
214 Mr. Villeneuve agreed he met with Mr. Odit. He stated the Town of Jericho removed the boundary lines between  
215 himself and the cemetery, noting the last time he came before the Selectboard was six months ago. He said he  
216 told the Selectboard every time he met with them that they needed the boundary markers up and the Town  
217 didn't have a right to have the fence up. Ms. Mercer agreed, noting litigation was threatened. Mr. Villeneuve  
218 disagreed, stating he said he would do what he needed to do to get the work done. He discussed the process,  
219 noting it was unnecessary that it took this long.  
220  
221 Mr. Villeneuve stated the fences should not have been taken out, which lost the boundaries. He said the  
222 boundary line agreement was drawn up. He said there should be something between the Town, the Church, and  
223 himself to ensure the ownership of the property is clear. Mr. Villeneuve discussed what he felt should have been  
224 done. He said his attorney did not agree with what was drawn up by the Town's attorney. Mr. Odit explained Mr.  
225 Villeneuve proposed exchanging deeds and the Town attorney proposed agreeing the boundaries are located  
226 where the survey says they are.  
227  
228 Ms. Mercer asked Mr. Villeneuve if he is unhappy with where the boundary lines are located. Mr. Villeneuve said  
229 he has no problem over where the boundary lines, pins, or measurements are located. Ms. Mercer asked Mr.  
230 Villeneuve to clarify what the problem is, outside of it taking too long. Mr. Villeneuve said the problem is for the  
231 people in the future and the interests of the Town and the Church and the abutters. He said the problem is that  
232 the Town does not know if it owns the cemetery or not. He stated he might own the cemetery and he wants it to  
233 be clarified.  
234  
235 Mr. Villeneuve stated it is a customary practice for people to pass quit claim deeds to clear up the boundaries  
236 and who has title to the property. He discussed the differences and said the problem should be addressed,  
237 noting it does not affect him personally. Ms. Mercer said she understands the concern. She suggested having a  
238 document stating the Town is responsible for maintaining the cemetery and having each party sign it. Mr.  
239 Villeneuve said the customary way to do that is by using deeds. Mr. Villeneuve and the Selectboard members  
240 discussed how to address the issue.  
241  
242 Ms. Mercer suggested the two attorneys talk to each other about the issue. Mr. Villeneuve said they can. Mr.  
243 Odit relayed previous discussions with Mr. Villeneuve about how the issue could be addressed. The Selectboard  
244 and Mr. Villeneuve discussed the matter further. Mr. Villeneuve agreed that the boundaries need to be put back  
245 in the cemetery. He said the second problem is that the boundary line fences were tore up. He stated his other  
246 suggestion was an agreement to clarify things for the future. Mr. Villeneuve agreed with Mr. Odit's comments.  
247 He expressed frustration with the amount of time it is taking to address the issue.  
248  
249 Mr. Odit stated he e-mailed the Surveyor after Mr. Villeneuve left the meeting, discussing what transpired. Ms.  
250 Mercer asked Mr. Odit to forward the e-mail to Mr. Villeneuve tonight. Mr. Villeneuve clarified he would like to

251 know from the Town how long it will take to get the corner markers installed. Mr. Odit said he will check with  
252 the Surveyor. Mr. Villeneuve stated he will give the Town 30 days from tonight to get the boundary corners back  
253 in. He said if they are not in by that time he will take whatever legal action necessary to get that project done.  
254 He said he will also spend whatever money he has to in order to get the work completed and then will seek  
255 reimbursement because two years is too long for this to go on. Ms. Mercer thanked Mr. Villeneuve for his  
256 comments and said she hopes that this comes to a satisfactory end.

257  
258 **7. Approve minutes of 8/1/2013.**

259 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard approved the minutes of 8/1/2013 as**  
260 **amended.** The motion passed 2-0.

261  
262 **8. Other Business.**

263 Ms. McMains stated she was contacted by a Boy Scout who needed to talk to a community member. She said he  
264 discussed the roads and the damages. She said he also asked what a young person can do to help. Ms. McMains  
265 suggested being aware of the speed and the cones in damaged areas. Mr. Odit suggested they could look at their  
266 own property and think about how the water runs off their property into the road. He said that causes a lot of  
267 damage to Town roads. Ms. McMains said that is a great idea for an Eagle Scout project.

268  
269 Ms. McMains said Mr. Messier has a right as an individual in Town to petition, but cannot use the Town's symbol.  
270 She asked whether the Selectboard should ask the attorney to draft a document about the use. Ms. Mercer  
271 asked if there has been an informal response yet. The Selectboard and Mr. Odit discussed the matter further.  
272 Ms. Mercer agreed to contact Mr. Messier and report back at the next meeting. Ms. McMains said we do have a  
273 document stating who is authorized to use the Town symbol, noting the concerns about the use. Ms. Mercer  
274 agreed with the concerns, discussing another example that would be inappropriate. Ms. McMains suggested  
275 that if the informal contact is unsuccessful, a letter should be sent that is signed by all three members of the  
276 Selectboard.

277  
278 **9. Approve Warrants of 8/25/2013, 7/26/2013 and /9/2013.**

279 The Selectboard members present signed the warrants.

280  
281 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard adjourned at 8:44 p.m.** The motion  
282 passed 2-0.

283  
284 Respectfully Submitted,  
285 Amy Richardson

2  
3 **Selectboard Meeting**  
4 **September 5, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Catherine McMains (Chair), Kim Mercer, Tim Nulty (via telephone)

8  
9 **Others present:** Jennifer Murray (Planning & Development Coordinator), Brian Stevens (Treasurer), Amy  
10 Richardson (Secretary), Stuart Alexander, Donna Malinowski, Bob Schermer, Chris Kiegle, Heather Hill-Dinsfriend,  
11 Robert Gilhooly, Helena Gardner  
12

13 The public hearing was called to order by Ms. McMains at 7:03 p.m.  
14

15 Mr. Nulty joined the meeting via telephone. He and the other Selectboard members discussed the agenda  
16 items. Mr. Nulty gave his approval of a letter to be sent from the Selectboard, authorizing Mr. Odit to sign on  
17 his behalf. Mr. Nulty left the meeting at 7:07 p.m.  
18

19 **1. Public Comment.**

20 Mr. Alexander asked what the Selectboard has to say about the petition to increase the size of the Selectboard  
21 from three to five members. Ms. McMains said the Selectboard as a whole has not taken a position. She  
22 discussed the process of filing a petition and the required charter change if passed. She stated her feeling is that  
23 there should be a broader discussion about how we would like our Town to be governed. Ms. Mercer reiterated  
24 the Selectboard has no official position. She discussed how the current Selectboard works well together and has  
25 great balance. She said they have had many differences in the past and they have worked through them.  
26

27 Ms. McMains discussed the current approach to handling votes on matters that could be contentious or matters  
28 that one member is more involved with, noting an example. She discussed some of the drawbacks to having  
29 more members, including a slower process. Someone asked whether the number of members is in proportion to  
30 the population of the Town. Ms. McMains said no, the Selectboard started with three members. A member of  
31 the public noted the population and the budget have grown. Ms. McMains stated there is a full-time Town  
32 Administrator who deals with those issues. She noted other five member boards in the area have had more  
33 issues than three member boards in the area have. She noted that a three member Selectboard is more  
34 beholden to open meeting laws than larger Selectboards are, discussing examples.  
35

36 Ms. McMains and Ms. Mercer discussed how larger boards can circumvent the rules and other issues with larger  
37 boards. Ms. McMains said a broader mix doesn't necessarily result from larger board. Ms. Mercer said the  
38 Selectboard discussed the petition at their last meeting, noting how it was initiated by Mr. Messier. She said the  
39 Town consulted its attorney, who said it was inappropriate to use the Town seal since it was not part of the duties  
40 he was elected to perform. She said there is some question about the approach, but it doesn't change the  
41 wording of the petition and if people want it, there will be a vote. Ms. McMains discussed the process to bring  
42 the matter for a vote.  
43

44 Mr. Schermer noted postcards were recently sent out asking for signatures and it looked like a Town plea. Ms.  
45 Mercer said that was not appropriate. Ms. McMains stated the Town is currently dealing with the situation. She  
46 said the Selectboard only has authorization to use the seal. Ms. Mercer noted it can only be used for Town  
47 business and discussed a similar example. Ms. McMains stated the Town is dealing with this and it is not a Town  
48 thing. She said when it is time to collect the numbers, the Town will be clear that this is not a Town sponsored  
49 petition. Ms. Mercer noted it is possible that some of the signatures are invalid because of that. She said that  
50 doesn't mean she wants it thrown out, just that the approach muddies it up.

51 Ms. McMains stated the Selectboard will be sending a letter regarding use of the Town seal. Mr. Alexander said  
52 when the Library increased the size of its board, they found it difficult to find people to run and it increased the  
53 number required for a quorum. Ms. McMains agreed those are some of the drawbacks. Ms. Mercer said when  
54 she was first elected it was all about transparency, which she still believes, but she has also come to appreciate  
55 how this Selectboard runs because they get things done. She said a larger board might hurt the Town in the long  
56 run. Ms. McMains discussed possible drawbacks, noting that Mr. Nulty works with 22 towns in the southern part  
57 of state and says the three member boards get things done, while with the larger boards it is very difficult. She  
58 stated that if the petition gets the required number for the vote, it will happen. She said it is difficult to get  
59 people to volunteer.

60  
61 Mr. Schermer stated he is concerned about transparency. He said he was surprised when talking with the  
62 Doremus' that they had never been told that the Library expansion is being discussed. Ms. McMains stated that  
63 notification of abutting landowners doesn't occur until an application goes before a Development Review Board  
64 (DRB) hearing. Ms. Mercer said the Town has not applied to do it yet. Mr. Schermer said he is not talking about  
65 the legalities rather that he thinks it would have been nice if they knew this was a possibility. Ms. McMains  
66 discussed the public hearings that have been warned. She said she is sorry they feel left out of the process. Ms.  
67 Mercer agreed it would have been nice if someone had spoken with them.

68  
69 Mr. Schermer stated he noticed going up Bolger Hill Road there was the need for a lot of work from the storm  
70 damage. He said a culvert was put under Bolger Hill Road that empties onto his property and he was never  
71 asked if that was okay. Ms. Mercer stated the culvert is supposed to drain into the ditch and keep draining down.  
72 Mr. Schermer discussed where it is draining, noting it would have to be removed they were ever to develop the  
73 land. He said he probably would have approved of it, but did not like the fact that it was done without asking.

74  
75 Ms. Mercer stated the road is Town property. She said it is not supposed to drain onto his property, so they will  
76 look into it. She said the idea is to get the stormwater off property, asking Mr. Schermer if his lawn is flooding.  
77 Mr. Schermer said it is the principle of the thing. He stated all of Browns Trace Road residents are in peril  
78 because of draining from Bolger Hill Road. Ms. McMains said there is some engineering being looked at to  
79 address the Bolger Hill Road drainage issues. She said the Town is trying to deal with it, discussing the efforts.

80  
81 Ms. Mercer said the Town needs to ensure better communication between the road crew and the people who  
82 live on the roads. She noted the Town has a Tree Cutting Policy, discussing its purpose. She said the procedures  
83 include notification and an appeal process to improve communication. Ms. Mercer said the Town needs to do  
84 the same for maintenance and disaster response. Ms. McMains noted there have been some changes in the  
85 Highway Department recently. She said Mr. Odit is more interactive with the crew and will be obtaining more  
86 training for them. She discussed more outreach efforts. The Selectboard discussed the matter further.

## 87 88 **2. Discussion of Jericho Center Library ADA Renovation Plans with Library Trustees.**

89 Ms. Murray updated the Selectboard on work done since the last time they were presented with designs. She  
90 said one thing that came up and was incorporated into the design was changing the exterior to match the  
91 surrounding architecture in Jericho Center. Ms. Mercer asked if there was consensus that was against an  
92 elevator shaft on either side. Ms. McMains stated she thought there was consensus it needed to look nice and  
93 that an elevator shaft couldn't be added to the side because the boundary line is too close. Ms. Mercer noted  
94 these are two expensive options.

95  
96 Ms. Murray said both could be done in phases. She said it was clear they wanted second floor access. She said  
97 there was also consensus they wanted a dedicated children's space. Ms. Murray discussed the two options  
98 presented, noting that both provide second floor access. She noted the differences in the two options and the  
99 reasoning for the adjustments made.

100 Ms. Hill-Dinsfriend stated the Architect and Ms. Murray did a great job addressing the Library's concerns. She  
101 discussed the reasoning behind the adjustments resulting in the two designs that are being presented. She said  
102 either plan would work well for the Library, noting there are a few things the Librarian would like to discuss with  
103 the Architect. Ms. Murray discussed the timing of estimates.

104  
105 Ms. Mercer said she liked the modern addition, but she understands there was a lot of discomfort with that.  
106 She discussed what she liked. She said given the two options presented, she would choose Option B. Ms.  
107 McMains agreed she would also choose Option B. The Selectboard members discussed their preferred option.  
108 Ms. McMains noted budgeting considerations that have to be taken into account. Ms. Hill-Dinsfriend suggested  
109 a slight change to Option B on the second floor layout. Ms. Mercer suggested adding skylights, discussing  
110 benefits of them. The Selectboard discussed the matter further and agreed they prefer Option B.

111  
112 Mr. Schermer asked about the need for meeting space and whether the Deborah Rawson Memorial Library and  
113 Community Center is not providing adequate space. Ms. Murray stated neither of those spaces is owned by the  
114 Town, while the Town owns the Library. She said the idea of making some meeting space there was appealing  
115 to the Town. She discussed the reasons for the additional meeting space and the origin of the project. The  
116 Selectboard also discussed space constraints for meetings with Mr. Schermer.

117  
118 Mr. Stevens noted the Underhill Jericho Fire Department also has meeting space that was to suppose to be  
119 available. The Selectboard members indicated they were not aware of that. Ms. Murray noted the opportunity  
120 to have a community building here, discussing an example. Someone asked about phased implementation. Ms.  
121 Murray discussed how the project could be done in phases, working with the Architect. She noted some  
122 possibilities, indicating they would be subject to further discussion. Ms. McMains discussed funding, including  
123 grant opportunities. She stated the priority is Americans with Disabilities Act (ADA) compliance.

124  
125 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard recommended moving forward on the**  
126 **next phase for Option B working with the Library.** The motion passed 2-0.

127  
128 **3. Discussion with Trails Committee of Lacy/Symington Trail Easement.**

129 Ms. Gardner stated she has been a member of the Trails Committee since May 2012. She said the Chair  
130 apologized for being unable to attend. She gave some background on the trail easement. Ms. Gardner gave the  
131 Selectboard a map indicating the proposed public access. She noted that everything around it would be private  
132 property. She said Mr. Lacy was also unable to attend, but she spoke with him and the plan is for the land to be  
133 used for agricultural purposes.

134  
135 Ms. Gardner stated that use of the trail would need to not interfere with the livestock, so it would be non-  
136 motorized recreational use such as hiking, walking, and biking. She said the grant was approved for the  
137 conservation easement. She said a draft of an easement conveying to the Town a width of 20' to establish a  
138 trail. Ms. Gardner discussed the possible next steps, noting the Town attorney reviewed the easement. The  
139 Selectboard discussed the easement with Ms. Gardner.

140  
141 Ms. Gardner stated there is a parcel of land across the street that is owned by vTrans. She said a Trails  
142 Committee member has set up a meeting with them to get permission for a trail. She discussed efforts to get  
143 permission on other area properties with the goal of eventually connecting to Mobbs Farm, noting there are a  
144 lot of steps to get there. The Selectboard and Ms. Gardner discussed the matter further.

145  
146 Ms. Mercer asked about the location of parking. Ms. Gardner indicated the location on the map. She said the  
147 Trails Committee would be meeting with Mr. Lacy to walk the property and discuss infrastructure needs. Ms.  
148 Gardner discussed the possible timing of conveyance. Ms. Mercer stated part of the easement says the Town  
149 would have to at all times have an appointed Trail Manager, indicating the duties. She noted the differences

from other trails, stating this would be new. Ms. McMains said the Town can work through the details before constructing the trail, which does not have to be done immediately. She suggested a measured approach and accessing expertise from other park districts. Ms. Gardner said the Trails Committee might be interested in being the Trail Manager. She discussed some possibilities with the Selectboard.

On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the easement and appointed the Trails Committee to continue with the next steps.** The motion passed 2-0.

The Selectboard thanked the Trails Committee for their time and energy.

#### **4. Reconsideration of Skunk Hollow Paving Project Timing.**

Ms. McMains said things have changed. Ms. Mercer read the staff memo to the Selectboard, noting the memo clarifies the process and the reasoning. She said staff has suggested installing the splitter islands and base coat of asphalt this fall, noting the cost savings and the budgeted funds, including grant funding. She noted paving this fall will protect the gravel work that is done. Ms. Mercer agreed with the reasoning. Ms. McMains provided more information, including - details behind paving one coat - one plow needed this winter and doing a base coat now with a top coat in spring is required of developers; reason to go ahead with splitter islands will indicate still serious about traffic calming - cost of asphalt might be more expenses - update on \$: FEMA \$ may come in by spring; they have tagged \$100,000 of reimbursable exp from May - still working thru process for June and July -

On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the commencement of the Skunk Hollow Road project this fall through gravel work, installing splitter islands, and applying the first coat of asphalt.** The motion passed 2-0.

#### **5. Discussion of Employee Health Insurance and Vermont Health Connect.**

Ms. McMains said the Town would continue to offer health insurance for employees. She discussed previous conversations and decisions made, noting that was done without knowing the rates. She said the rates are now approved. Ms. McMains said the proposal now is to go back to what had been done when the Town provided insurance, by providing 90% for everyone. Ms. Mercer said that is what other companies do. The Selectboard discussed health insurance further. Ms. McMains discussed how additional money would be allocated to a flexible spending account. The Selectboard discussed possible approaches and flexible spending accounts.

Ms. Murray discussed how the current health care benefits work with the Selectboard. The Selectboard continued discussion of the financial impact of health insurance. Ms. Mercer said she did not want to approve anything without reviewing the matter further. Ms. McMains described the staff proposal, as follows:

- The Town will continue to offer insurance.
- The Town will sponsor Blue Cross Blue Shield plans, noting MVP will not be available and is more expensive.
- The Town will pay 90% of the platinum plan and the employee will be responsible for the difference.
- The Town will fund a Flexible Spending Account with \$750 to employees with individual coverage and \$1,500 to employees with a two-person or family plan.

The Selectboard will suggest that Mr. Odit discuss the proposal with employees. The Selectboard discussed the cost comparisons of the current health care plan to the proposed health care coverage. Mr. Stevens said he would like to see the before and after comparison. Ms. McMains agreed and discussed some comparisons. The Selectboard, Ms. Murray, and Mr. Stevens discussed health insurance coverage further. Mr. Stevens said since there are so few employees, doing a comparison for each person would be easy. He stated this is really concerning for people. He said although it sounds like the plan is comparable, the financial impacts would be helpful. Ms. McMains agreed, noting it starts January 1<sup>st</sup>. Mr. Stevens said it is making people nervous now.



199 Ms. Mercer said she is not ready to vote now. Ms. McMains said she would recommend Mr. Odit discuss the  
200 matter with the employees. Ms. Mercer stated she would like to hear from the employees. Ms. McMains  
201 agreed, noting they need to see the before and after numbers. The Selectboard, Ms. Murray, and Mr. Stevens  
202 discussed the matter further. Ms. McMains agreed to discuss this with Mr. Odit tomorrow, noting the  
203 Selectboard will wait to finalize the coverage.  
204

205 **6. Approve Hiring of Highway Employee.**

206 The Selectboard discussed the candidate recommended by staff, including his qualifications.  
207

208 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved hiring of Reginald Smith III**  
209 **as a Highway Maintenance Level II, on a full-time permanent basis at \$17.00/hour plus benefits.** The motion  
210 passed 2-0.  
211

212 **7. Other Business.**

213 Ms. McMains stated the sidewalk paving started today on the section to Underhill town line. Ms. Mercer asked  
214 whether people who live along there were notified. Ms. McMains said she thinks they were. She said the  
215 landowners were involved during the easement process, but she is unsure if they were notified before the work  
216 started. Ms. Murray noted the equipment should be moved before Harvest Market. Ms. McMains agreed to  
217 follow up on the matter. The Selectboard and Ms. Murray discussed committee presence and other offerings at  
218 Harvest Market.  
219

220 Ms. Murray said she doesn't have the final date, but there will be a four day planning session for the Riverside  
221 Underhill area either the last weekend in October or the first weekend in November. The Selectboard discussed  
222 the matter. Ms. McMains noted there will be policy that comes out of this planning.  
223

224 Ms. McMains said the Selectboard received a letter from a Foothills resident asking the Town to consider a  
225 municipal water system.  
226

227 Ms. McMains said the Selectboard needs to approve mailing the letter to Don Messier. On a **motion** by Ms.  
228 Mercer, seconded by Ms. McMains, **the Selectboard approved mailing the letter to Mr. Messier.** The motion  
229 passed 3-0 (Mr. Nulty voted via telephone earlier in the meeting, authorizing Mr. Odit to sign on his behalf).  
230

231 Ms. Murray asked for permission to warn September 17<sup>th</sup> as a joint meeting with the Jericho Planning  
232 Commission. The Selectboard and Ms. Murray discussed, agreeing to the date. The Selectboard asked Ms.  
233 Murray to get the information out on all of the on-line forums tomorrow and to send a reminder before the  
234 meeting.  
235

236 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard authorized warning the public of a**  
237 **joint meeting with the Jericho Planning Commission on September 17<sup>th</sup> at 7:00 p.m.** The motion passed 2-0.  
238

239 **8. Approve minutes of 8/15/2013.**

240 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the minutes of 8/15/2013**  
241 **as amended.** The motion passed 2-0.  
242

243 **9. Approve Warrants of 8/23/2013 and 9/6/2013.**

244 The Selectboard members present signed the warrants.  
245

246 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard entered Executive Session at 8:35**  
247 **p.m.** The motion passed 2-0.  
248

249 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard exited Executive Session at 8:45 p.m.**  
250 The motion passed 2-0.  
251  
252 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adjourned at 8:46 p.m.** The motion  
253 passed 2-0.  
254  
255 Respectfully Submitted,  
256 Amy Richardson  
257

2  
3 **Selectboard Meeting**  
4 **September 19, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Catherine McMains (Chair), Kim Mercer  
8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Jessica Alexander (Town Clerk),  
10 Stewart Alexander, Leslie Allen  
11

12 The public hearing was called to order by Ms. McMains at 7:03 p.m.  
13

14 **1. Public Comment.**

15 There was none.  
16

17 **2. Approve Spokesperson for Docket No. 101-7-13 VT Environmental Court, Zaremba Group CU - Jericho.**

18 Mr. Odit said there is a status call coming up regarding the status of the appeal. He stated if we want to call in,  
19 we have to notify the court that we want to be kept informed of what is happening. Mr. Odit and the  
20 Selectboard discussed whether to listen to the call and who should listen. Mr. Allen stated the first hearing will  
21 be held on September 20<sup>th</sup> by telephone. Ms. McMains said that is what they are discussing. She noted it is  
22 important to keep informed. Ms. Mercer agreed.  
23

24 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved submitting an Entrance of**  
25 **Appearance and appoint Todd Odit, Town Administrator, as the spokesperson for the Town in Docket No.**  
26 **101-7-13 Vermont Environmental Court Hearing, Zaremba Group CU.** The motion passed 2-0.  
27

28 **3. Update on Castle Cemetery Commissioners.**

29 Mr. Odit said after research, it is different than originally thought. He stated the Selectboard serves as defacto  
30 Cemetery Commission. He said if they would like to appoint one, it will need to be voted on at Town Meeting.  
31 Mr. Odit said he cannot advertise for the positions because the Town hasn't voted to appoint a Commission. He  
32 discussed the process if the voters approve it.  
33

34 Ms. McMains stated we will have to do some public outreach on why that question is there. Mr. Odit and the  
35 Selectboard discussed the reasoning and the response to a written request. Mr. Odit said the Town's attorney  
36 stated the cemetery is not in disrepair. Ms. Mercer clarified whether it would be a voice vote at Town Meeting,  
37 so they would have a chance to answer questions. Mr. Odit said yes. The Selectboard discussed the process to  
38 include the question on the ballot.  
39

40 Mr. Allen stated he represents the Church, saying from reading the minutes he is confused. He asked, if the  
41 attorney said the abandoned cemetery laws don't apply, then by what authority is the Town imposing itself on  
42 the cemetery. Ms. McMains stated the Selectboard acts as the defacto Cemetery Commission and is responsible  
43 for a cemetery if it is not abandoned. Mr. Allen clarified whether an owner has been identified. Ms. McMains  
44 said it is not abandoned because the Town is maintaining it.  
45

46 Mr. Odit explained that because it is not a private cemetery then it is public burial, so by default the Selectboard  
47 is the custodian of public burial grounds as Cemetery Commissioners. He said to the best of their knowledge  
48 they have never actively taken that role and they have the option of the Selectboard filling role or appointing  
49 individuals to fulfill that role. Mr. Allen clarified the Town is maintaining an unkempt cemetery, but not an  
50 abandoned cemetery. The Selectboard and Mr. Odit discussed the cemeteries that are maintained by the Town.

Mr. Allen clarified the authority of a Cemetery Commission. Ms. McMains stated they have tremendous authority under State statute. Mr. Odit said abandonment is a different issue. Ms. McMains discussed an example. Ms. Mercer said a private cemetery that becomes abandoned becomes public and therefore becomes the Selectboard's responsibility. She stated they will ask the Town if to approve a Cemetery Commission for that cemetery. Mr. Odit said the Town has essentially been maintaining it, but nothing else has been done.

Mr. Allen asked if there is a job description. Ms. Mercer answered yes and provided a copy to Mr. Allen. Mr. Allen said he represents the property adjacent to the cemetery and he wants to be informed. Ms. McMains said it is a tremendous responsibility. The Selectboard discussed the responsibilities and who maintains the other cemeteries in Town.

Mr. Alexander stated roughly half of the Jericho Center Cemetery belongs to the Town. Mr. Odit noted it is the land that belongs to the Town. Mr. Alexander discussed how the property was conveyed to the Town and the timing. The Selectboard, Mr. Alexander, and Mr. Odit discussed operation of the cemetery association and ownership. Ms. Mercer clarified whether the other cemeteries should have a Cemetery Commission. Mr. Odit said he doesn't know. Ms. McMains stated the majority is not owned by the Town. She discussed how the Town funds it. The Selectboard and Mr. Odit discussed the relationship further.

Mr. Alexander discussed ownership of a cemetery in Montpelier. The Selectboard discussed other cemeteries in Town that are not funded by the Town. They discussed the matter further with Mr. Alexander and Mr. Odit. Ms. McMains said it seems to make the most sense for there to be an active group responsible for the cemetery. Mr. Alexander noted there is another cemetery the Town is responsible for on Raceway. Ms. McMains stated there is a trust to maintain that cemetery. The Selectboard and Mr. Alexander discussed cemeteries further, including where plots are available.

Ms. McMains said the title to the Brown property is really murky. Mr. Alexander noted there are other families in that cemetery. Ms. McMains stated there are two parts to the Castle Cemetery. She discussed the matter further, noting the historic nature of the cemetery. She said when it is time they will put it in the warning. Ms. Mercer clarified there would be a voice vote, noting the benefit of a voice vote versus putting it on the ballot. Ms. McMains suggested developing an informational sheet. Mr. Odit said it is required by State law to be a voice vote. He discussed the process to allow ballot voting with the Selectboard, including the pros and cons. The Selectboard discussed voting on budgets.

#### **4. Approve Employee Health Insurance Offering.**

Ms. Mercer thanked Mr. Odit for all the work he has done on this, noting he did an extraordinary job. She said he did a good job speaking with people and keeping staff informed. She agreed with the proposal, asking if it is possible to increase the contributions to the savings accounts slightly. Mr. Odit said the plan is the immediate question that needs to be answered and is necessary for the employees to make their choice, suggesting the 90/10 split on the Platinum Blue Cross Blue Shield plan.

The Selectboard and Mr. Odit discussed the proposal, including possible options and budget implications. Ms. Mercer asked if it was possible to contribute a bit more to the Health Reimbursement Account (HRA). Mr. Odit and the Selectboard discussed the amounts proposed earlier in the day. Mr. Odit suggested a simpler way to look at it would be that 50% of the possible out-of-pocket maximum would treat everyone equally. He discussed the possible costs further and suggested letting the employees choose.

The Selectboard and Mr. Odit discussed health savings accounts (HSA) versus HRAs, including what happens to any unused amounts. Ms. McMains stated families were really concerned at the meeting today, so she ran some calculations. She discussed the calculations and the budget implications. Mr. Odit suggested most people are going to experience much less out-of-pocket expenses than they are expecting. He and the Selectboard

discussed possible costs, budget implications, and the reasoning for the changes to the system. Ms. McMains stated the annual Town cost per employee can be substantial. Mr. Odit agreed, noting that for some the value of their benefits can be more than their wages.

Ms. McMains discussed what some companies are doing in response to the changes to the system. She said the Selectboard will have this discussion again next June to see how things are going, noting that she hopes it will be positive. The Selectboard and Mr. Odit discussed health insurance coverage further. Mr. Odit suggested if the amounts are going to be increased that it be limited an HRA or an HSA, not a Flexible Spending Account; noting there are administrative costs that go with each. The Selectboard agreed. Ms. Mercer asked if employees can have more taken out of their paycheck if they want to. Mr. Odit said no. He and the Selectboard discussed the matter further, including examples of employee choices.

On a **motion** Ms. Mercer, seconded by Ms. McMains, **the Selectboard adopted the policy for employee health insurance plan for Town employees as outlined by the Town Administrator with the change to \$1,250 for individuals and \$2,500 for families in an HRA or HSA.** The motion passed 2-0.

Ms. McMains stated there will be an update in June to see how it is going.

#### **5. Appoint Town Health Officer.**

On a **motion** Ms. Mercer, seconded by Ms. McMains, **the Selectboard appointed Paul Luciano as the Town Health Officer for a three year term.** The motion passed 2-0.

#### **6. Approve minutes of 9/5/2013.**

On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the minutes of 9/5/2013 as amended.** The motion passed 2-0.

#### **7. Other Business.**

Mr. Odit said the purchasers of Field's Restaurant plan on closing on the sale October 1, 2013 and the next Selectboard meeting is not until October 3, 2013, so they would like approval for their liquor license. Ms. McMains stated the Selectboard will act as the Liquor Control Board. Ms. Alexander stated they also own Rosie's and Taco Bell at University of Vermont (UVM). The Selectboard and Ms. Alexander discussed.

On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the 1<sup>st</sup> and 2<sup>nd</sup> Class Liquor License for Griffin Ryder's LLC d/b/a The Jericho Café and Tavern.** The motion passed 2-0. The Selectboard members present signed the documents.

Ms. McMains said the State is looking at its designation for growth centers, so Chittenden County Regional Planning Commission (CCRPC) and all RPCs are looking for input on this. She stated they want input from Town Administrators and Town Planners, which they will provide to the Legislature. She discussed the matter further and left the materials with Mr. Odit.

The Selectboard and Mr. Odit discussed the response to Mr. Messier. Mr. Odit said Mr. Messier has requested the document referred to in the minutes of September 5, 2013, which was the letter.

Mr. Odit said he offered the open highway position to the candidate the Selectboard approved and there was another strong candidate. He said he would like to offer that person a position at the same rate and scale as the other person, noting that once the offer is accepted and the drug test is passed he will act on the other matter. The Selectboard agreed.

150 Ms. Mercer asked Mr. Odit to look into on-line cloud Board packets, including the costs, so the discussion could  
151 be revisited. She discussed the benefits of using an on-line file system. Mr. Odit agreed to look into it. Ms.  
152 McMains stated she would need training.

153

154 **8. Approve Warrants of 9/16/2013 and 9/20/2013.**

155 The Selectboard members present signed the warrants.

156

157 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adjourned at 7:49 p.m.** The motion  
158 passed 2-0.

159

160 Respectfully Submitted,

161 Amy Richardson

2  
3 **Selectboard Meeting**  
4 **October 3, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Catherine McMains (Chair), Kim Mercer  
8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Mathew Champlin, Michael  
10 Charter, Mike Kramer, Darrell Meulemans, Belva Meulemans, Livy Strong, Randy Clark, Michael Devereux,  
11 Andrew Stevens, Chris Kiegle, Dave Tillotson, Todd Fischer, Helena Gardner, Stuart Alexander, Lisa Rector, Don  
12 Foote  
13

14 The public hearing was called to order by Ms. McMains at 7:09 p.m.  
15

16 **1. Public Comment.**

17 Ms. Rector asked whether the public would have an opportunity to ask questions about an agenda item. Ms.  
18 McMains stated the Selectboard typically allows questions.  
19

20 Mr. Tillotson commended the Selectboard for installing the radar feedback signs in Jericho Center. Ms. McMains  
21 said studies have shown that people pay attention to them even after they have been there for years. Mr.  
22 Tillotson said he hopes they stay. Ms. McMains stated they are solar powered and the intention is for them to  
23 stay. She said the Town plans to purchase more to move around Town.  
24

25 **2. Approve Use of Landowner License - Trails Committee.**

26 Ms. Gardner provided copies of the draft license to the Selectboard. She discussed the concept of a landowner  
27 license, noting the differences from an easement and the reasons a license is used. She said the Trails  
28 Committee reached out to several organizations to see what they use to stitch together routes when  
29 landowners don't want to give an easement and all of them have these types of licenses. Ms. Gardner said they  
30 tried to draft something common sense, not legalize. She discussed the parts of the license, noting it is a model  
31 and it can be tailored to the situation. She said both parties would sign the document and it would be  
32 terminated upon written notice of the landowner.  
33

34 Ms. Gardner stated the appendixes are not completed, noting one would be a description of the property and  
35 the other would be a description of where the path is located. She said the models stated the key provision and  
36 referenced the Chapter of law on landowner liability, which is meant to encourage people to grant access. She  
37 discussed common landowner questions and lawsuits. Ms. Gardner said since the committee is in the process of  
38 approaching landowners, they thought this is an appropriate thing. She said other organizations had something  
39 similar. Ms. McMains stated it is nice that it has been vetted by the Town attorney. Ms. Mercer said she  
40 appreciates how succinct and transparent it is. Ms. McMains agreed, noting that people will know what they  
41 are giving permission for. The Selectboard thanked Ms. Gardner.  
42

43 Ms. Gardner asked who should be the signatory. Mr. Odit suggested the Trails Committee have the authority to  
44 do the legwork, with the Selectboard aware of and approving the final licenses. The Selectboard and Mr. Odit  
45 discussed how to move forward. Mr. Odit suggested that final recommendations be presented to the  
46 Selectboard for approval. The Selectboard thanked the Trails Committee for all of their work.  
47

48 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the use of the landowner**  
49 **license for this license and future licenses that the Trails Committee continue work to procure and present to**  
50 **the Selectboard for final approval and signature. The motion passed 2-0.**

51 **3. Inform Selectboard of Plan for Former Rivers' Property - UJFD.**

52 Mr. Fischer, Chief of the Underhill-Jericho Fire Department (UJFD), stated the former Rivers' property  
53 transferred to the fire department last year following Mrs. Rivers passing. He asked Mr. Clark to give some  
54 history about the transfer. Mr. Clark, Honorary Chief of UJFD, said he has been a member of the fire  
55 department for 56 years. He discussed the history, noting the following:

- 56 • It began in 1980.
- 57 • The fire station on Route 15 was not providing proper protection to people living more than 5 miles away,  
58 noting the impact on fire insurance premium.
- 59 • Mr. and Mrs. Rivers offered to allow the fire department to put a station on 3 acres of land, providing fill.
- 60 • The fire department accepted the property in 1982.
- 61 • Mr. Villeneuve helped prepare the property, saving the department a lot of money.
- 62 • There was a lot of community support and people within 5 miles of the new fire station got a reduction in  
63 fire insurance premiums.
- 64 • They heard Mrs. Rivers was going to sell part of her farm after Mr. Rivers passed away and met with her to  
65 discuss the possibility of buying some more land for training around the fire station.
- 66 • Mrs. Rivers said she had received an offer from Pike Industries to purchase the land for gravel, but she said  
67 the fire department had been very good to them over the years with various fires and rescues on the  
68 property.
- 69 • Mrs. Rivers gave the fire department the whole farm, including 125 acres, noting the timing of the meeting  
70 and when the paperwork had to be completed.
- 71 • A committee was established in 1987, noting the people involved.
- 72 • The terms of the agreement were discussed.
- 73 • The fire department made a deal to allow someone to operate the farm, but they had to put the gravel  
74 removal out to bid, noting the person who had been doing the work did not win the bid.
- 75 • The access to the gravel pits and permits were discussed.
- 76 • Mrs. Rivers maintained a life lease on the home, although she moved to Greensboro later on, and wanted to  
77 keep the land open.
- 78 • The school approached the fire department with a request to use some of the land for a soccer field, but the  
79 attorney said no for two reasons: 1) in the state of Vermont a gravel pit is hardest to start and easiest to  
80 stop and if a child gets hit, the gravel pit would be shut down, losing the income that would go to the fire  
81 department someday; and 2) once a playground, always a playground.
- 82 • A School Board member visited Mrs. Rivers to discuss the request.
- 83 • Mrs. Rivers came to the fire department officers meeting and said the school could not use the land,  
84 discussing her reasoning.
- 85 • There was so much turmoil over this property.
- 86 • The fire department planned someday to sell the property, invest the money, and use the income to offset  
87 expenses to benefit the community they serve.
- 88 • The fire department held onto the property and Mrs. Rivers passed away last December.
- 89 • The fire department formed another committee that has decided to sell the property with some goals in  
90 mind; one of the goals is to not develop the property.

91  
92 Mr. Fischer said the committee has had a lot of discussions, noting some of the possible options. He said the  
93 most profitable way would be to subdivide the land, but there is a lot of cost to subdivide it. He said someone  
94 who buys it could possibly subdivide it, but the goal is to try to find someone who wants to maintain the open  
95 property. Mr. Fischer said they are moving forward to sell it as one parcel and offered to answer any questions  
96 they could. Mr. Clark noted it is the gateway to Jericho Center and it wouldn't look good with a lot of houses  
97 there and they don't want that. He said their goal is to find someone who wants to hike, bike, and live fairly  
98 close to a city. He stated they want to set the price high and work from there, noting that if they set the price at  
99 appraised value they could probably sell it in a few months.



100 Mr. Fischer said this all started in 1980. He stated the gravel pit has a State contract that ends in 7-10 years, so  
101 in their mind they have 7 years to sell it because they don't want to renew the permits. Mr. Clark stated they  
102 want to put the proceeds in a trust fund, using the income to defray expenses of the fire department to help  
103 everyone in the community by lowering taxes. Mr. Fischer discussed an example. Ms. Rector asked if there has  
104 been any consideration of transferring the development rights because the purchaser may subdivide to recoup  
105 their costs. She asked if there has been any thought to transfer the development rights to the Jericho-Underhill  
106 Land Trust and to sell the property as a single home and maintained as open space. Mr. Clark said there has,  
107 noting that the thought is for the purchaser to lower their price by selling the development rights, but the fire  
108 department would let them go through that process. He stated the fire department could benefit more over a  
109 long period of time.

110  
111 Mr. Fischer said they are trying to honor Mrs. Rivers' wishes to help the fire department. He discussed fire  
112 department expenses and how this could reduce the cost to the Town and the taxpayers. He said it is meant to  
113 continue to give to the Town for years to come and it is where the committee is coming from. Mr. Devereux  
114 asked about the sale price. Ms. Mercer explained the meeting rules and asked people to state their names. Mr.  
115 Fischer said the land is not completely appraised because of the difficulty in appraising the gravel pit. He  
116 discussed the estimates of value for the house, the barn, and the land, noting the initial sale price would be  
117 close to \$5 million. He stated the fire department is a member run organization and this matter will be voted on  
118 at the next meeting. Mr. Fischer said the members have the same concerns that have been raised.

119  
120 Mr. Devereux said he is a pretty close neighbor to this property. He asked if any thought was given to donating  
121 some of it to the Town since it is the gateway to Jericho Center. He asked whether they would consider selling  
122 some and keeping some open. Mr. Fischer said that since the property is in the State Act 250 program and  
123 subdivision falls under major subdivision rules. He noted the section on Plains Road is ¼ acre zoning, which is  
124 where some of the committee discussions went and that is not their intention. He stated the fire department  
125 members are not realtors and they don't want to become landlords. Mr. Fischer stated it was a nice gift and a  
126 great gesture, but it is time for the fire department to put it up for sale. He said they are here to let the Town  
127 know their intentions, that they are not developing the property.

128  
129 Ms. McMains clarified whether the gravel pit is part of the property for sale. Mr. Fischer said yes, discussing the  
130 pieces of the property. Ms. McMains said it would be a unique sale. Mr. Fischer agreed, noting that is why the  
131 appraisal has been difficult, but they have some ideas about where to start. Mr. Clark noted the Town appraisal  
132 is \$800,000 because part of it is in a land contract and the taxes are \$8,600 a year.

133  
134 Mr. Foote thanked the fire department for coming and sharing with everyone. He said there has been a lot of  
135 discussion about the property having high visibility and being a special part of the gateway to the Center. He  
136 thanked Mr. Clark for the background, saying it is a great gift and a lot of work. Mr. Foote stated he appreciates  
137 that the fire department is a good member of the community and shared the discussions when they didn't need  
138 to, noting this has an impact on the community. Mr. Clark said he feels good when they march in the Memorial  
139 Day parade with continuous applause all the way to the cemetery. He discussed the communities support and  
140 appreciation, noting they are there whenever there is a 911 call. He stated UJFD is one of the highest respected  
141 fire departments in the state of Vermont and they got that way from the community's support. Mr. Clark  
142 discussed a firefighter who moved here from elsewhere and was told by other people to come to UJFD because  
143 of this community.

144  
145 Mr. Champlin stated they are all volunteers with only two paid personnel. He said when they looked into the  
146 opportunities with this property they found that subdividing costs a lot and they didn't want to impose those  
147 costs on the taxpayers. He said they also don't have the time and it is not what Mrs. Rivers wanted. Mr.  
148 Champlin discussed subdividing a piece of property with an Act 250 permit. He said they intend to sell the  
149 whole property with the hope that they can find someone who will leave it open. Ms. Mercer asked if there will

150 be anything legally binding in the sale. Mr. Champlin said no. Ms. Mercer asked the reasoning and if it had to  
151 do with the sale price. Mr. Clark said it did. Ms. Mercer stated she does not believe someone will keep their  
152 word. She asked if the fire department makes this decision internally or if they have to ask the voters who  
153 support the fire department. Mr. Fischer stated it is an internal decision because the fire department is a  
154 corporation, private and not-for-profit, with a contract with the Town to provide protection.

155  
156 Ms. Rector asked if they were to have this windfall, if it would be taken into account in our decision to provide  
157 funding. She stated she would not want to give them any money and would want them to be a self-sufficient  
158 entity. She also questioned how it would impact their 501c3 status and if that is to serve the public good, how  
159 does that impact their mission. Ms. McMains stated those are all questions that will need to be answered. She  
160 said in the paperwork provided, the initial papers said the money would be in a Rivers Trust to fund the fire  
161 department in perpetuity, noting the expectation is the Town would see a reduction.

162  
163 Mr. Foote said during the presentation the fire department indicated they are looking for someone from out of  
164 state with a lot of money. He said he appreciates what they are trying to do, but asked for clarification why they  
165 didn't want to sell to a local person. He asked if there would be any objection from the fire department for a  
166 group of individuals or an organization who provided the funding to preserve the gateway. Ms. McMains agreed  
167 the gateway is the most important part. Mr. Fischer stated that anyone who offers a fair value for property will  
168 be considered. Ms. McMains noted the key is Act 250 and the gravel pit. Mr. Fischer agreed.

169  
170 Ms. Rector stated that when she was on the Jericho Planning Commission that area was identified as needing  
171 survey for well head protection. She asked if the fire department or Town did that work. Ms. McMains said she  
172 does not think so. Mr. Odit said he didn't know. He noted there was a recent study looking at waste water in  
173 the Center. Ms. Rector said that didn't look at the drinking supply. She questioned what impact a development  
174 would have on the aquifer. Ms. McMains stated any development would need to look into that.

175  
176 The Selectboard thanked Mr. Clark. Mr. Clark discussed the impact on insurance premiums based on fire  
177 department ratings. He said UJFD was audited and they got really good marks, so fire insurance premiums will  
178 go down even more. He discussed the savings on fire insurance and how it offsets taxes that pay to operate the  
179 fire department. The Selectboard thanked UJFD for the presentation and the public outreach.

180  
181 **4. Approve Lease of Electric Vehicle.**

182 Mr. Odit said an opportunity has arisen to lease an electric car for use of Town employees. He discussed the  
183 lease terms and other area towns that have a similar arrangement. He compared the lease terms to the average  
184 amount the Town has spent in mileage reimbursement over the last three years. Mr. Odit stated it is a good idea  
185 financially and supports sections within the Town Plan. He discussed charging options and said if approved a  
186 policy about use would be developed. The Selectboard and Mr. Odit discussed the matter, including possible  
187 uses and range. Ms. McMains asked if the Town attorney will review the lease. Mr. Odit said he would have him  
188 review it, but the lease is standard. The Selectboard and Mr. Odit discussed the matter further.

189  
190 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved a three year lease of a**  
191 **Mitsubishi iMiev at a cost of \$110/month, an all electric vehicle to be used for Town business, the money**  
192 **spent on this would be equivalent to money currently spent on reimbursing for mileage; and the Town will**  
193 **develop a policy to address usage of the vehicle.** The motion passed 2-0.

194  
195 **5. Approve Entrance of Appearance for Docket No. 126-9-13 Vtec Mt. Mansfield Union High School Sign.**

196 Mr. Odit stated an individual asked to be reimbursed for his appeal fees, but he lost and has decided to appeal to  
197 the Environmental Court. He stated the Town should make an appearance since decisions by the Zoning  
198 Administrator and the Development Review Board are involved. He recommended the Selectboard approve Ms.

199 Murray to be the spokesperson. Ms. Mercer clarified it is the same issue and he is appealing the decision. Mr.  
200 Odit agreed, discussing the process to date. The Selectboard and Mr. Odit discussed the matter further.  
201  
202 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard authorize Mr. Odit to send a letter to**  
203 **Vermont Superior Court Environmental Division requesting we that we be kept apprised of this case and**  
204 **designated Ms. Murray as their spokesperson.** The motion passed 2-0.  
205  
206 **6. Review Draft Fiscal Year 2015 (FY15) Vehicle Replacement Plan.**  
207 Mr. Odit said work is starting on the budget. He said it is a little later due to the Federal Emergency Management  
208 Agency (FEMA) paperwork. He presented the Selectboard with a vehicle replacement plan. Mr. Odit discussed  
209 the proposal for vehicle replacement in FY15 with the Selectboard, including the costs and the reasoning behind  
210 the proposal. The Selectboard members discussed the benefits of the equipment purchases proposed. The  
211 Selectboard and Mr. Odit discussed the matter further, including which vehicles require a Commercial Drivers  
212 License (CDL).  
213  
214 **7. Approve Hiring of Highway Department Employee.**  
215 Mr. Odit discussed Highway Department candidate Mike Menoski, including his qualifications. He stated Mr.  
216 Menoski passed the drug test, so an offer was extended at \$17/hour, which he accepted. He noted that is the  
217 rate the last individual was hired at as well. Mr. Odit discussed the skills in the department with the two new  
218 hires.  
219  
220 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved formal hire of Mike**  
221 **Menoski as a Highway Employee Level II, a full time employee subject to a 6 month probation period.** The  
222 motion passed 2-0.  
223  
224 The Selectboard and Mr. Odit discussed department coverage and on call needs.  
225  
226 **8. Approve minutes of 9/19/2013.**  
227 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the minutes of 9/19/2013**  
228 **as written.** The motion passed 2-0.  
229  
230 **9. Other Business.**  
231 Mr. Odit said Ms. Alexander asked him to let the Selectboard know that she received a request for a catering  
232 event for Mr. and Mrs. Alexander that requires her approval. Ms. Mercer asked Mr. Alexander about the  
233 request. Mr. Alexander explained that periodically they have a showing and they like to serve wine. He stated  
234 he took a course with the Liquor Control Board and is qualified to monitor the situation, but they need a permit  
235 each time they want to do this. He discussed the fees and process. The Selectboard and Mr. Odit discussed the  
236 matter further.  
237  
238 Mr. Odit said all of the FEMA papers have been submitted and the Town should receive payment from the first  
239 event within a week. He said paving the gravel portion of Skunk Hollow Road will begin tomorrow. He stated he  
240 is starting work on the budget.  
241  
242 Ms. McMains asked about the first phone call for Zaremba Group. Mr. Odit said it was on September 30<sup>th</sup> and  
243 he was not able to participate. He stated he would follow up on the status, noting that based on prior  
244 experience the status calls usually schedule mediation.  
245  
246 Ms. McMains stated the Chittenden County Regional Planning Commission (CCRPC) and Efficiency Vermont are  
247 going to have a presentation about the Vermont Energy Code on October 23<sup>rd</sup> from 12:00-1:30 p.m. She  
248 discussed the target audience and others who are welcome to attend.

249 Ms. McMains requested funding for an event to view the art in the Town Hall. She discussed the event, noting it  
250 will take place on October 19<sup>th</sup> from 3:30-5:30 p.m. She stated they would like to serve cider and doughnuts.  
251 The Selectboard discussed the art displayed in the Town Hall and the artists. Mr. Odit discussed funding for the  
252 refreshments. Ms. Mercer suggested bios of the artists. Ms. McMains agreed that is a good idea. The  
253 Selectboard discussed possibilities for the event and other possible displays for the future.

254

255 **10. Approve Warrants of 10/4/2013.**

256 The Selectboard members present signed the warrants.

257

258 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adjourned at 8:43 p.m.** The motion  
259 passed 2-0.

260

261 Respectfully Submitted,

262 Amy Richardson

2  
3 **Selectboard Meeting**  
4 **October 24, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Catherine McMains (Chair), Tim Nulty, Kim Mercer  
8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Jennifer Murray (Planning &  
10 Development Coordinator), David Villeneuve, Les Allen, Andrew Albright  
11

12 The public hearing was called to order by Ms. McMains at 7:07 p.m.  
13

14 **1. Public Comment.**

15 Mr. Odit suggested allowing Ms. Murray to provide an update on the next steps following the Planapalooza after  
16 the first agenda item. Ms. McMains stated there was a meeting at the Regional Planning Commission (RPC)  
17 about municipal building codes that was interesting. She noted that it was voluntary that builders file, but now it  
18 is required. Ms. Murray said the topic will be discussed at a training she will attend on the 19<sup>th</sup>. Ms. McMains  
19 said there are various meetings and discussions scheduled.  
20

21 **2. Request to Discuss Castle Cemetery and Municipal Water System - Les Allen.**

22 Mr. Allen thanked the Selectboard for letting him have some time. He discussed concerns about trees along the  
23 property line with the Lutheran Church, noting the locations. He said he would like to be able to have the  
24 Church Council draft a document to allow whoever owns the trees to take care of them so that they don't  
25 damage the church. Mr. Allen discussed a situation this summer where a tree blew down. He showed the  
26 Selectboard some photos.  
27

28 Ms. Mercer arrived at 7:10 p.m.  
29

30 Mr. Allen noted concerns about the ownership of the Castle Cemetery. He discussed the document the  
31 Selectboard gave him at the previous meeting, noting the cemetery does not belong to the Town. Ms. McMains  
32 stated the Town has been taking care of it for years. Mr. Allen stated the Town has budgets for many  
33 organizations and that does not give them ownership of the organizations. He said he reviewed the law and  
34 there are three processes, discussing each of them. Mr. Nulty said the third one is at issue. Ms. McMains  
35 discussed the research that has been done and the Town attorney's advice. Mr. Allen disagreed. The  
36 Selectboard and Mr. Allen discussed the matter further.  
37

38 Mr. Allen said he would like to know who the legal owner of the property is, in the event any of the trees fall  
39 onto the church's property. Mr. Odit noted that even if the Town advertises and goes through the process, they  
40 are not the legal owner. The Selectboard discussed the Town's involvement in the cemetery for several  
41 decades. Ms. McMains stated there was a period where the Town had elected Cemetery Commissioners, noting  
42 they do not know why it defaulted to the Selectboard. She said that has to be researched.  
43

44 Mr. Allen stated he called the Vermont League of Cities and Towns (VLCT) following the previous meeting to  
45 discuss this situation. He said the lawyer at VLCT agreed that if the Town does not go through a process to deem  
46 it abandoned or in some other way legally claim ownership, the Commission has no responsibility or authority  
47 for that cemetery. Mr. Nulty stated the Town is trying to do that. Mr. Odit said the Town's attorney has more  
48 facts about the situation. The Selectboard discussed efforts that are being taken regarding the cemetery.  
49

Ms. McMains stated the Town is taking care of it and could have the Tree Warden look at the trees. Mr. Allen said from a legal perspective they want give someone authorization, but don't know who. Mr. Nulty said it would be the Selectboard in care of Mr. Odit. Mr. Allen asked about ownership. Mr. Nulty said he is not sure they can resolve ownership of the cemetery. Mr. Odit stated it cannot be resolved because a deed has not been found. Mr. Allen stated it cannot be declared a public cemetery. Mr. Odit said it is an abandoned private cemetery. Ms. McMains stated the Selectboard is responsible for it and they have been taking care of it for years. The Selectboard and Mr. Allen discussed the matter further.

Mr. Allen gave the Selectboard a map of the church property. He indicated a 23' jog in their property up to the cemetery that is a mowed path. He said, because of the access issues, Mr. Villeneuve has proposed fixing it rebuilding the slope on the church property and removing some of the trees. Mr. Nulty asked why the Town would have reason to object. Mr. Allen said he did not think they would, he was providing notification.

Mr. Villeneuve suggested the Town share the information from the attorney with him and Mr. Allen, noting that might answer their concerns. Ms. McMains stated the information is presented during these meetings. Mr. Villeneuve discussed an example, asking the Town to keep him informed when a question of the attorney is asked and what the response is. Ms. McMains explained how that information is shared in the public meetings. The Selectboard and Mr. Villeneuve discussed the process further. Mr. Nulty stated the Town's attorney answered the question as to whether the Town has a right to continue to maintain the cemetery without ownership being known and the answer is yes. Mr. Allen asked why the Town would want to do that. The Selectboard members explained. The Selectboard and Mr. Allen discussed the matter further.

Mr. Odit clarified the issue is abandoned in terms of maintenance, not abandoned in terms of ownership. He said it is the Town attorney's opinion that since the Town has been taking care of it for 100 years the maintenance has not been abandoned but the ownership has been. He said the Town doesn't need to go through the process to see if someone will come forward to take care of the cemetery. Mr. Allen clarified the Town is going to proceed with the maintenance, not ownership, so that does not satisfy his liability issue. Mr. Nulty responded that would be a legal issue. Mr. Allen and the Selectboard discussed the matter further, including the applicable section of the law that pertains. The Selectboard and Mr. Odit agreed to try to find an answer for Mr. Allen.

Mr. Villeneuve stated he has tried to come to the Town about the issue he has with the property corners and it never moved forward. He discussed some background relating to the situation. He suggested that he and the Town and the Church identify the corners of the cemetery convey interest to each other in some manner, possibly a deed. Mr. Villeneuve stated it would be advantageous for each party to do this. He said it would clear up a lot of issues in these title searches. Mr. Nulty said he sees Mr. Villeneuve's point. Ms. McMains said she appreciates the offer, but the Town's lawyer said a boundary line agreement is what we need.

Mr. Allen said he wrote the Selectboard a long letter. He discussed leadership and a Development Review Board (DRB) meeting he attended where two opposing views were presented by geologists about a well head protection area. He stated that the worst thing that can happen to water systems is bacteria. Mr. Allen discussed well head protection areas. He read the definition from the State's guide for constructing well head protection areas. He also discussed the DRB hearing and testimony presented, including an example.

Mr. Allen said when the well head protection area was being designed it was presented to the State and reviewed at that time. He stated the map encompasses most of the commercial district. He discussed the potential impacts of that fact. The Selectboard and Mr. Allen discussed water districts and well head protection areas. Mr. Allen discussed funding that is available from the State, suggesting they might fund a study that could be done here and possible the grant writing. The Selectboard discussed other infrastructure concerns within the Town. Mr. Allen discussed benefits of pursuing a study and an example.

100 Mr. Odit stated there is an existing municipal water system in the Town, noting since they already have the  
101 structure, the logical next step would be to investigate it expanding its distribution system to incorporate other  
102 areas. The Selectboard members agreed. Mr. Odit, Mr. Allen and the Selectboard discussed the matter further.  
103 Mr. Allen suggested letting the State conduct a study. Mr. Nulty agreed. Ms. McMains asked Ms. Murray for  
104 her thoughts. Ms. Murray stated she has 10 years experience as a hydro-geologist. She said it is something the  
105 Selectboard needs to consider carefully. She discussed some considerations. Mr. Odit suggested that staff look  
106 into the matter and bring information back. The Selectboard agreed and discussed the matter further.

107  
108 Mr. Odit said regarding Castle Cemetery, he had given the Surveyor a firm date to have the corners set by. He  
109 said the Surveyor went out yesterday and found some discrepancy between where the corners were and where  
110 the pins were set. He said the Surveyor met this morning with Mr. Villeneuve and Trudell on the site, noting Mr.  
111 Villeneuve wanted to confer more with Trudell before they set the corners. Mr. Nulty clarified the process of  
112 resolving the discrepancy is ongoing.

113  
114 Mr. Villeneuve discussed the history of this issue. He said he has been coming to the Town for 3 years and it has  
115 not been resolved. He said the last time he discussed the matter with the Selectboard he said he would take  
116 action if it wasn't resolved. Mr. Villeneuve stated he also asked at that last meeting to be kept informed. Ms.  
117 McMains said he has been. Mr. Villeneuve stated he has not received any communications to be able to say this  
118 is beyond the Town's control. He said Mr. Odit has not done what the Selectboard asked him to do and they are  
119 the leaders of this Town. He discussed the Town's responsibility. The Selectboard acknowledged Mr.  
120 Villeneuve's concerns. Mr. Villeneuve stated he is acting accordingly.

121  
122 Ms. Murray provided the Selectboard with an update on next steps with the master planning project. She said  
123 the consultant will work with her, Mr. Odit and the Jericho Planning Commission (JPC) over the next few months  
124 on the form based code. The Selectboard and Ms. Murray discussed the areas the code will and will not cover.  
125 Mr. Nulty asked if the product will be a combination of zoning language of the form based type and pictorial  
126 representations of what that would result in. Ms. Murray said yes, noting it would be a nearly standalone  
127 document that will fit into the Town Plan. She said it is an attempt to remove subjectivity from the process.

128  
129 The Selectboard and Ms. Murray discussed the most recent public meeting. Ms. Murray discussed the next  
130 steps and the intended overall result. She said the process will answer many important questions and create a  
131 regulating plan that will create zoning code. She noted it will be just an example of how it could look. Ms.  
132 Murray said zoning needs to be in place, which is within the scope of the existing project. She said creating a  
133 development plan for the property would be a technical plan and address the marketing aspect of the project.  
134 She discussed what the plan might include.

135  
136 Mr. Nulty asked about the consultants' qualifications. Ms. Murray said they have offered to assist with all of  
137 those parts and they are qualified. She stated they have a specialized understanding that typical engineering  
138 firms don't have. Mr. Nulty said the general response has been positive. The Selectboard agreed and discussed  
139 the matter further. Mr. Nulty asked how much it will cost. Ms. Murray said it depends on the scope, noting  
140 they can give us estimates. She recommended an implementation team including Mr. Villeneuve, Ms. Murray,  
141 Mr. Odit, and a Selectboard member. She suggested also possibly including technical expertise from some Town  
142 members.

143  
144 Mr. Nulty asked about the cost of moving this further down the road, noting he does not think the Town will  
145 support issuing bonds. Ms. Murray said she is thinking there would need to be some cost sharing option,  
146 discussing some possibilities. The Selectboard and Ms. Murray discussed funding options. Ms. Murray said she  
147 thinks an implementation team is a good idea, noting it will be important to have Mr. Villeneuve involved. Ms.  
148 Mercer recommended having JPC representation. The Selectboard agreed. Ms. McMains noted it will have to  
149 go through the public process to get approved. Ms. Murray said they already have a plan. Mr. Nulty said this

150 has really made some progress and because it was so visual people could see it. He discussed examples. The  
151 Selectboard discussed the matter further. Ms. Murray discussed publicity surrounding the meetings.

152

153 **3. Approve Transfer from Road Upgrade Reserve Fund.**

154 Mr. Odit stated the Town has spent approximately \$214,000 on the Skunk Hollow Road project. He said a grant  
155 reimbursement request has been submitted to vTrans in the amount of \$170,941 for the project. He requested  
156 the amount of the request be transferred from the reserve funds to help with cash flow. Mr. Odit stated once  
157 the grant funds are received \$145,941 would be transferred back into the reserve fund; noting the capital  
158 budget included the use of \$25,000 in reserve funds, so that amount will remain in the general fund.

159

160 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard authorized the transfer of \$170,941 from**  
161 **the Road Upgrade Reserve Fund to the General Fund. The motion passed 3-0.**

162

163 **4. Discussion of Fiscal Year 2015 (FY15) Capital Budget and Operating Budget.**

164 Mr. Odit stated this will be an interesting budget year due to two things:

165 1) Last year the voters decided to budget a deficit, using the refund from the Vermont State Police (VSP) to  
166 reduce taxes.

167 2) This summer's flooding issues.

168 Mr. Odit said even if expenses remain level, the Town will have to increase tax revenue by about 3.5%. The  
169 Selectboard and Mr. Odit discussed the impact of the one-time adjustment on the budget. Mr. Odit proposed an  
170 increase in spending due to the flooding issues that occurred this summer. He suggested replacing more  
171 culverts, noting a new culvert inventory will be done. He also suggested increasing funds for gravel road  
172 upgrades and maintenance, discussing the reasoning and an example.

173

174 Mr. Odit and the Selectboard discussed gravel road maintenance and ditching. Mr. Odit noted the purchase of a  
175 small to medium size excavator was included in the capital budget to maintain ditches. The Selectboard and Mr.  
176 Odit discussed gravel roads, ditches, and storm damage. Mr. Albright said he thinks this is a great idea and worth  
177 pursuing. He discussed what he has seen happen with the gravel and ditching on Old Pump Road. He and the  
178 Selectboard discussed the impact of winter maintenance on gravel roads. Mr. Albright said some of the issue is  
179 due to grading technique.

180

181 Mr. Nulty discussed grading. Mr. Albright asked whether the Town has considered sharing resources with  
182 Underhill. Mr. Nulty said it is great in theory, but hard to organize. Ms. McMains said she has read about it in  
183 previous Town reports. Mr. Odit said it is a good idea, but both Towns usually need the resources at the same  
184 time. He said he does not know if it is an issue of larger versus smaller grader, or an issue of training. The  
185 Selectboard and Mr. Odit discussed training completed and training needs. Mr. Albright asked what the  
186 minimum size for a culvert is. Mr. Odit responded that it depends on the location. Mr. Albright said vTrans'  
187 standard size is going to be 4' on State highways. He discussed flooding issues. The Selectboard discussed  
188 flooding and road damage.

189

190 Ms. McMains asked how the increase in salaries is determined. She noted the health insurance premium  
191 increase appears different from the meeting with staff. Mr. Odit discussed the changes in percentages, noting he  
192 does not usually know the premiums for the upcoming calendar year, but this year he knows what the rates will  
193 be for six months. Ms. McMains asked if there would be enough money in the budget for Energy Task Force  
194 posters or other miscellaneous expenses. Mr. Odit said there will be money for planned and unplanned  
195 expenditures.

196

197 Mr. Nulty asked about the reasoning for the 4% increase in salaries. Mr. Odit discussed the reasoning for the  
198 increase to offset the increase in health insurance, noting it is a proposal. He discussed the overall impact on the  
199 budget. Mr. Nulty asked about the impact of the new state insurance system. Ms. Mercer stated rates are going



up. Mr. Odit discussed the impact to the Town and the employees under the new plan further, including an example. Mr. Nulty discussed an example with the new health care system, noting better coverage. The Selectboard and Mr. Odit discussed health insurance coverage further. Mr. Odit said the other thing to note is highways and bridges. He discussed the change in the number of full-time and part-time employees. He noted a reduction in the number of hours budgeted for the Zoning Administrator. Mr. Odit stated Mr. Zwick will return to work in November and he discussed the change with him. He said there is bridge work planned on Bridge #17. He said there are no other big changes.

Mr. Odit stated the total numbers will change as we get numbers from other organizations. He noted that everything within our control is included in this draft. The Selectboard and Mr. Odit discussed budgeting for the fire department. Mr. Nulty asked Mr. Odit to gather comparative data for those discussions. Mr. Odit agreed, noting the difficulties in obtaining the information. The Selectboard and Mr. Odit discussed the matter further.

#### **5. Review of Budget Adoption Schedule.**

Mr. Odit and the Selectboard discussed the proposed budget adoption schedule. The Selectboard discussed the Chair rotation schedule.

#### **6. Approve minutes of 10/3/2013.**

On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the minutes of 10/3/2013 as amended.** The motion passed 2-0; Mr. Nulty abstained.

#### **7. Other Business.**

Mr. Nulty said since he missed the previous meeting he requested a meeting with the Underhill Jericho Fire Department (UJFD) for an update. He discussed the meeting that was held. Ms. Mercer noted there is no restriction in the sale, so the purchaser(s) is not being asked to sell the development rights. Mr. Nulty said anyone who wants to develop it will not pay that price, saying they are pricing it deliberately out of the range of a developer. Ms. Mercer stated that is an assumption. The Selectboard discussed the matter further.

Mr. Odit stated Mr. Zwick will be returning to work at reduced hours. He said the Town received the federal share of the Federal Emergency Management Agency (FEMA) reimbursement for the first declared disaster. He said the paperwork has been completed and submitted for the second declared disaster, noting he also submitted paperwork for reimbursement for Governor Peck Road which is eligible for reimbursement from a different program. Mr. Odit stated Mr. Wilson notified him that he will be retiring in 2 years. He and the Selectboard discussed Mr. Wilson's upcoming retirement, agreeing there should be a transition period.

Mr. Odit suggested recognizing the significant amount of work Ms. Murray put into the Planapalooza with some vacation days. The Selectboard agreed. Mr. Odit said he hired the second new employee in the Highway Department, noting there are now five full-time employees and things are going well. The Selectboard and Mr. Odit talked about the issues raised during the earlier Castle Cemetery discussion. They also discussed the concerns raised by Mr. Allen, noting they feel they can address the matter. Ms. McMains noted she would not be available for the first meeting in December.

#### **8. Approve Warrants of 10/18/2013 and 10/22/2013.**

The Selectboard members present signed the warrants.

On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard adjourned at 9:17 p.m.** The motion passed 3-0.

Respectfully Submitted,  
Amy Richardson

1 **Minutes 11/7/2013**

2  
3 **Selectboard Meeting**  
4 **November 7, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Catherine McMains (Chair), Tim Nulty, Kim Mercer

8  
9 **Others present:** Todd Odit (Town Administrator), Jessica Alexander (Town Clerk), Karen Lawsing, Roger Dickinson,  
10 Bob Schermer, Gail Schermer, Matt Thomson, Chris Kiegle, Heather Hill, Dan Manz, Stuart Alexander, Don Foote,  
11 Chuck Lacy  
12

13 The public hearing was called to order by Ms. McMains at 7:05 p.m.  
14

15 **1. Public Comment.**

16 There was none.  
17

18 **2. Mt. Mansfield Union (MMU) Sidewalk Project Informational Meeting - Lamoureux & Dickinson.**

19 Mr. Odit introduced Mr. Dickinson from Lamoureux & Dickinson for the presentation. Ms. McMains asked  
20 everyone to hold their questions until the end of the presentation. Mr. Dickinson stated tonight's public  
21 meeting is a requirement of the Vermont Agency of Transportation for the project to proceed to the next step.  
22 He discussed the steps already taken. He said the next step is the right of way phase, which would involve some  
23 temporary construction easements.  
24

25 Mr. Dickinson said they are here tonight to present the design and to obtain any feedback the Selectboard or  
26 the public might have. He discussed the location and the scope of the Jericho Multimodal Connection Project.  
27 He noted the section between Plains Road and Pratt Road was scaled back to minimize the impacts which he will  
28 explain shortly. Mr. Dickinson said the idea is to have a sidewalk that will have a 6' green strip between the fog  
29 lines and the sidewalk itself. He discussed the reasoning for allowing the green strip. He noted there are a  
30 couple of areas where the land drops off, so there is a retaining wall shown on the plan. Mr. Dickinson noted  
31 the location of wetlands, retaining wall, and road crossing location. He said there will be some catch basins to  
32 help with stormwater drainage. He noted that is the extent of this initial phase of the project.  
33

34 Mr. Foote asked why they would cut up the pavement in front of the fire station to put in a sidewalk. Mr.  
35 Dickinson said the idea is to create an identifiable sidewalk that pedestrians, motorists, and the Fire Department  
36 will respect. He said an alternative would be to stripe it similar to a crosswalk, but the installation of a sidewalk  
37 is preferred at this point. Mr. Schermer asked about some shading on the plans. Mr. Dickinson said it indicates  
38 where pavement was removed to install the sidewalk and would need to be re-paved. Mr. Kiegle asked about  
39 two 4' high chain link fences that are shown along the wetland areas. Mr. Dickinson said he will talk a little more  
40 about that and about some options in a little bit. Ms. McMains stated she had the same questions.  
41

42 Mr. Odit pointed out that the end of the project shows a crossing and landing at Pratt Road. He said while no  
43 decision has been made at this point about what side of the road future extensions might be located on, the  
44 conceptual plan ended at the Fire Department property and vTrans was adamant that there be some  
45 destination, which is why we ended up with a crossing and landing on Pratt Road. Ms. McMains said it makes  
46 sense so the people who live on Pratt Road can walk to the Center. Mr. Nulty asked if there is a reason why it  
47 doesn't cross to the other side of Pratt Road for people heading to MMU, so they only cross one road instead of  
48 two. Ms. McMains said the crossing will depend which side of the road the sidewalk will continue on.  
49

50 Mr. Schermer clarified the location of the existing road and the white line. He noted the white line was  
51 narrowed and is located in from the actual pavement. Mr. Dickinson stated the sidewalk will be 6' from the fog  
52 line which puts it about 5' from the edge of the pavement. Mr. Odit clarified the measurement is from the fog  
53 line, which is in 1' from the edge of the pavement. Mr. Schermer asked if there is less pavement. Mr. Dickinson  
54 said no, we are not changing the roadway at all. He stated they are just trying to think ahead to the future in  
55 case we want to widen the road to provide a bike lane.

56  
57 Mr. Foote asked for an update on the next phase of the project, from Pratt Road to MMU. Ms. McMains stated  
58 that is the most expensive phase because of the bridge over Lee River Road. She said there is no grant money  
59 yet, noting they are working with the Fire Department to decide where to locate the sidewalk. Mr. Odit stated  
60 we are in the beginning stages of the Bike and Pedestrian Plan, so staff thought we should wait to initiate any  
61 further projects until the study is complete. He said the study will include a prioritization of projects in the  
62 Town, noting at this point we haven't applied for any further funds.

63  
64 Mr. Foote asked if there have been discussions with the current landowner to establish the right of way. Mr.  
65 Nulty said there are several landowners. He noted the Fire Department is aware of this plan, but there are other  
66 landowners involved. Ms. McMains said when the project was first proposed, the entire segment in the  
67 conceptual design, the Fire Department at that point was not willing to talk about those kinds of issues. She  
68 noted that was several years ago. Mr. Nulty said we are not far down that road, noting there is a conceptual  
69 plan, but the real work has not been done. Ms. McMains said there has been a push to get to this point because  
70 it grabs a good chunk of the population that would be willing to walk to the Center and store. She said once we  
71 started the transportation plan and people were requesting sidewalks in other parts of the Town, we thought  
72 we should have the plan in order to prioritize expenditures.

73  
74 Mr. Lacy asked how wide the sidewalk is. Mr. Dickinson stated it is 5'. Mr. Lacy clarified the location. Mr.  
75 Dickinson explained. Ms. McMains asked what a stop bar is. Mr. Dickinson said it is a marking on the pavement  
76 indicating where to stop. Ms. Mercer asked what came of the inquiry about possible ancient burials on the  
77 Duncan property and the investigation. Mr. Dickinson stated that over the past summer vTrans hired an  
78 archeologist, at no cost to the Town; did the investigation; and didn't find anything of any significance, so we  
79 have the go ahead on the score.

80  
81 Ms. Mercer asked about the signage. She said it is clear when you are moving the signs, but there are some that  
82 have remove and new in the same spot, why. Mr. Dickinson explained that in general, on any project funded  
83 with State money, they want to see new signs installed. He discussed the reasoning and standards. He noted  
84 the existing signs get returned to the Town and they can be used elsewhere. Mr. Schermer said when we  
85 narrowed the lanes it essentially created a bit of a pedestrian/bicycle area to the right of the fog line. He asked  
86 if the sidewalk goes in and there is that grass strip, is the existing area still there. Mr. Odit answered yes, noting  
87 it was put there in case the Town decided not to do a bike lane. He said originally the sidewalk was much closer  
88 to the road. He discussed the reasons for the green strip, including snow removal.

89  
90 Ms. Alexander observed the Jericho Center sidewalks were put in 2008. She said she does not know if different  
91 materials were used or if it's the finish, but they have held up better than the ones put in along Route 15. She  
92 said maybe it is due to the amount of salt used on Route 15. She noted those cost less and are holding up  
93 better. Ms. McMains said she may be right about the salt use on the State versus the Town road. Ms. Alexander  
94 asked if the finish is different. The Selectboard members answered they didn't know. Mr. Dickinson said there  
95 could be, noting there are sealers put on the concrete. He discussed possible reasons for the difference and  
96 ways to protect sidewalks during the curing process.

97

98 Ms. Mercer asked about the 4' fence. Mr. Dickinson stated there are a few options for the retaining walls  
99 themselves. He said there are three general options:

- 100 1) Stone fill gabion wall.
- 101 2) Concrete block wall.
- 102 3) Precast concrete segmental block wall.

103

104 He discussed the each briefly, noting which were more or less expensive. The Selectboard discussed the  
105 options. Mr. Dickinson said in an effort to keep the costs down he has shown the gabion wall. He said when it  
106 goes out to bid for construction the different options could be priced out. The Selectboard and Mr. Dickinson  
107 discussed the costs of the three retaining wall options, including how it is priced. Ms. Mercer asked about the  
108 height and length of the retaining wall. Mr. Dickinson said it varies, discussing the heights and lengths of each  
109 section. He stated there is a total of 4,500 square feet of wall area, discussing the total costs for the different  
110 types of material.

111

112 Mr. Lacy asked how the need for the wall would change if the sidewalk were immediately adjacent to the road.  
113 Mr. Dickinson said it would reduce the walls somewhat, but would not eliminate them entirely.

114 Mr. Thomson said the wall at some point could attract graffiti. Ms. McMains said that is a valid point and  
115 thanked him for the comment. Mr. Dickinson stated that one of the unintended side effects of changing the  
116 entire project to a sidewalk is that it did reduce the fencing and the railing requirements. He discussed the  
117 differences between the design options. He said it also opened up some options for a more desirable fence than  
118 the originally proposed chain link fence. Mr. Dickinson discussed some fence options, stating they would like to  
119 maintain at least 2' from the back side of the sidewalk to the fence.

120

121 Ms. McMains asked what kind of fence would be needed. Mr. Dickinson discussed fence pricing and  
122 recommended using a three rail fence, noting the reasoning. Ms. Hill asked how long a wood fence would hold  
123 up. Mr. Dickinson estimated ten to fifteen years for wood fences and a little longer for vinyl fences. He said  
124 chain link fence is standard for most bicycle paths because of the protective it offers. He discussed different  
125 types of chain link fences and the associated costs. Mr. Odit said for this project here we had to change vendors  
126 during the project because they were way behind in fabricating it. Mr. Dickinson showed a photo of a sidewalk  
127 they designed in Newport, noting the sidewalk is right up against the road. He discussed the approach to the  
128 design. Mr. Lacy clarified whether the fence would still be needed if the sidewalk was right next to the road.  
129 Mr. Dickinson said there would still need to be a fence on top of the retaining wall whenever the drop is more  
130 than 30" on average.

131

132 Mr. Lacy asked if the retaining wall would be shorter if the sidewalk is next to the road. Mr. Dickinson said it  
133 could be incrementally shorter, but he would need to look into that. Mr. Foote said different materials are  
134 being shown. He asked whether there are specifications that must be met. Mr. Dickinson said there is a safety  
135 standard that has to do with the fact there is a retaining wall so close to a sidewalk. He discussed the reasoning  
136 for the standard. Mr. Foote asked if the Town could use boulders instead of fencing. He said it would seem that  
137 would be adequate and it would be visually more appealing, noting it would also be less maintenance. The  
138 Selectboard, Mr. Dickinson, and members of the public discussed various options. Mr. Dickinson agreed to look  
139 into the matter. Ms. Mercer stated she prefers wood over vinyl fencing. Ms. McMains agreed. Mr. Dickinson  
140 agreed, given the historic nature of the area. The Selectboard, Mr. Odit, and Mr. Dickinson discussed the matter  
141 further. Mr. Kiegle asked how much the retaining wall is changing the grade from the curb drop off. Mr.  
142 Dickinson said it will be about 6' higher on average in most areas because the road drops off pretty quickly. The  
143 Selectboard thanked Mr. Dickinson for his presentation.

144

145 Mr. Schermer asked what the next steps are for this project. Mr. Odit said once the preliminary design is  
146 completed, vTrans will give us permission to move into the right of way phase. He stated there are some  
147 construction easements needed that usually take some time to get. He discussed the approval process after the

148 easements are in place. Mr. Odit said construction is being included in the Fiscal Year 2015 (FY15) budget,  
149 discussing possible timing. Mr. Lacy said the sidewalks that are there were transformative for the community.  
150 He discussed the changes in recreation for the area.  
151

### 152 **3. Center Library FY15 Request - Heather Hill & Tom Dowd.**

153 Ms. Hill stated the proposed budget had been provided to the Selectboard. She said they are suggesting the  
154 Librarian's salary be increased \$1 per hour, which is still below average for the county. Ms. McMains asked what  
155 the average is for the county. Ms. Hill said the average is \$18-24 per hour. She stated they are also proposing an  
156 increase in the Librarian's hours by four hours per week, discussing the reasoning. Ms. McMains asked if she is  
157 amenable to the schedule change. Ms. Hill stated she is. She said the second increase is for general operations  
158 of the Library for books and materials, which is the biggest proposed increase. She stated small increases were  
159 also included for heating and maintenance. Ms. Hill said there has been a big increase in postage because when  
160 books are loaned they have to mail them back. Mr. Odit said it amounts to a little under \$10,000 increase to the  
161 Town's budget over the previous year.  
162

163 The Selectboard, Mr. Odit, and Ms. Hill discussed the proposed budget further, including where the funding  
164 comes from. They also discussed the employment status of the Librarian as a Town employee under the  
165 direction of the Library Trustees. Ms. Mercer said adding Saturday's increases salaries by about \$4,000. She  
166 asked if the Trustees considered trying to find a volunteer to fill the position. Ms. Hill stated it is hard to find  
167 volunteers. She said right now the Trustees have been rotating the responsibility. She noted the increase is also  
168 attributed to some evening hours that have been extended. Ms. Hill said they could close on Saturdays but there  
169 are people who come in at that time. The Selectboard thanked Ms. Hill for coming in to discuss the proposal.  
170

### 171 **4. Essex Rescue FY15 Budget Request - Dan Manz.**

172 Mr. Manz thanked the Selectboard for allowing some time to discuss the budget this evening. He said he would  
173 like to discuss the financial position of Essex Rescue and put their request for next year in a context of where  
174 they think they need to go in the next five or so years. He said the Board has identified three financial goals, as  
175 follows:

- 176 • Assure an adequate revenue stream to cover our daily operating expenses;
  - 177 • Assure an adequate revenue stream to meet our future capital and new expense needs; and
  - 178 • Equalize the per capita funding over time from each of the towns they serve.
- 179

180 Mr. Manz stated Essex Rescue is in reasonably good shape today. He said that is attributed to several factors,  
181 including:

- 182 • Volunteer personnel which saves on salaries;
  - 183 • High call volume which makes a more efficient use of their resources; and
  - 184 • Conservative financial management over time.
- 185

186 Mr. Manz said they seem to meeting the first goal stated above. He said Essex Rescue is approximately  
187 \$1,100,000 a year organization, noting the funding is as follows:

- 188 • 50% from patient billings and insurance revenue;
  - 189 • \$395,000 in contributed labor from volunteers, discussing how they calculate that value;
  - 190 • \$100,000 from the subscription program;
  - 191 • \$22,000 from the combined contributions of the five towns;
  - 192 • \$9,500 from other donations;
  - 193 • \$7,000 from other services, such as training; and
  - 194 • \$6,000 from interest income.
- 195

196 Mr. Manz discussed the budgeted expenditures, noting the following:  
197 • \$394,200 is offset directly for volunteer personnel;  
198 • \$276,000 payroll for paid personnel;  
199 • \$125,800 for the capital reserve fund;  
200 • \$114,000 for other operating expenses, such as telephone, supplies, etc.;  
201 • \$59,000 for insurances;  
202 • \$43,000 for billing services;  
203 • \$42,000 for medical equipment and oxygen supplies;  
204 • \$21,000 for vehicle maintenance; and  
205 • \$17,500 for fuel.

206  
207 Mr. Manz said the town contributions represent approximately 2% of their budget today. He said they are  
208 currently putting away about 10% for future capital expenditures. He discussed capital expenditures and their  
209 related costs. Mr. Manz discussed the cost of ambulances with Mr. Nulty. He also discussed the estimated life  
210 of their vehicles with the Selectboard. He stated their high expense years are the years in which they replace a  
211 vehicle. Ms. Mercer asked if they have considered leasing them. Mr. Manz stated there was one agency he was  
212 aware of that leased them. Mr. Nulty discussed leasing as a financing tool and tax benefit.

213  
214 Mr. Manz stated if they continue with a budget with essentially level support from the towns they have been  
215 getting, the capital reserve fund will be depleted by 2019. He discussed the assumptions used in the projection.  
216 Mr. Nulty asked why they don't buy cheaper vehicles and use them longer. Mr. Manz said the maintenance  
217 costs makes that cost prohibitive, discussing wear and tear on the vehicles. He said in order to meet the second  
218 goal, discussed above, there will need to be some different participation from the towns. He said it also creates  
219 an opportunity to equalize the per capita contribution along the towns. The Selectboard members were  
220 supportive of this initiative. Ms. McMains stated last year the Town contributed the highest amount per capita  
221 and asked why.

222  
223 Mr. Manz discussed the importance of investing money into the capital expenditures. He also discussed the  
224 cyclical nature of the capital expenditures. He said goal three to equalize the per capita contributions from the  
225 towns is needed since the contributions vary significantly between the towns. Mr. Manz discussed the  
226 differences between the contributions among the towns served. Ms. McMains noted the amounts that were  
227 calculated last year. Mr. Manz continued discussing the amounts contributed per town, based on the  
228 population served. He discussed per capita rates being charged elsewhere, noting they are currently around  
229 \$1/capita and they need to be closer to \$4/capita. He noted the towns compared are private, not-for-profit  
230 agencies similar to Essex Rescue.

231  
232 Mr. Manz discussed the differences between the different agencies. Mr. Nulty asked if this was the entire list of  
233 such agencies in the State. Mr. Manz said no there are others, noting these had the information readily  
234 available and were good for comparison. He said the good news for Jericho is there is the least steep upward  
235 curve and discussed the impact on the other towns served. He discussed the per capita rates today.

236  
237 Mr. Manz said Essex Rescue is requesting \$11,500 this year, which is \$1,000 more than last year. He said they  
238 anticipate increasing \$1,000 each year for the next five years. Mr. Nulty said this is still a small part of the total  
239 income and assumes the other funding continues. Mr. Manz agreed, discussing funding, billing, fee structure,  
240 and costs with the Selectboard members. Mr. Nulty asked if there are any for profit agencies in Vermont. Mr.  
241 Manz said there are, estimating there to be three or four in the State. He said that is very low compared with  
242 the nation due to the territory that must be covered. He discussed the reason contributions from Essex Junction  
243 and Town is likely low is due to the dispatch contribution. The Selectboard and Mr. Manz discussed ways to  
244 incorporate and allocate those costs.

245 Mr. Odit stated it is further complicated by the fact that dispatching is paid for out of the Town budget and the  
246 Junction, which is a separate municipality, feels they pay for it through their Town taxes. Mr. Manz said it will be  
247 a very interesting discussion, noting some of the complexities. He said another calculation he did was to  
248 compare the amount budgeted for Richmond Rescue this year, saying it is about \$4/capita. Ms. Mercer said she  
249 appreciates the long term planning that is occurring. The Selectboard thanked Mr. Manz for his presentation,  
250 noting their support for the principle. Mr. Manz and the Selectboard discussed funding, history, and billing  
251 further. They also discussed some examples of rescue calls and responses.

252  
253 **5. Chittenden Unit for Special Investigations (CUSI) FY15 Budget Request - Kristine Bickford.**

254 Mr. Odit said he would like to give the Selectboard an overview of the CUSI proposal, noting the can attend the  
255 next meeting. He said they did respond to the Selectboard's request, although he did not recall the Town being  
256 notified. Mr. Nulty said he was aware that they did. Mr. Odit discussed their response and their efforts to  
257 include towns without police officers. He said two years ago when these discussions began they had changed  
258 their formula and were basing it on percentage of population which resulted in Jericho's contribution going  
259 down to \$5,600 from \$7,000. He stated the Town decided to budget and pay that amount in full.

260  
261 Mr. Odit stated that when he received their request for FY15 there is an increase to \$8,730, which is the first of a  
262 three year phase in. He said the increase will reimburse the municipalities that contribute an officer. He  
263 discussed the reasoning for the increase further. Mr. Odit said by FY17 Jericho's contribution would increase to  
264 just under \$15,000. The Selectboard members discussed the amount in comparison with contributions to other  
265 agencies that are funded.

266  
267 Mr. Odit said previously the formula was based on case history, which we didn't like. He said the formula moved  
268 to the percentage of the population, which seemed fair at the time. He said they should take into consideration,  
269 to some extent the case history. Mr. Odit and the Selectboard discussed the funding formula proposal further.  
270 The Selectboard discussed the funding history for this organization. They also discussed what might constitute a  
271 fair contribution. Mr. Odit suggested having a conversation with CUSI regarding the funding formula at the next  
272 meeting. The Selectboard and Mr. Odit discussed the matter further.

273  
274 **6. FY15 Capital Budget Review.**

275 Mr. Odit said in order to stay on schedule to adopt the budget around the same time we did last year, we need  
276 to warn a public hearing on the capital budget on December 5<sup>th</sup> for January 3<sup>rd</sup>. He said that means it should be  
277 in near final form in a couple of meetings to do that. He discussed which sections have already been covered.  
278 Mr. Odit and the Selectboard discussed the capital budget, including: Town Hall painting; and the Jericho Center  
279 Library addition. Mr. Nulty asked about funding. Mr. Odit said a proposal will be presented at a later meeting  
280 and the availability of grant funding is not known at this time.

281  
282 Mr. Odit and the Selectboard resumed discussion of the budget, including: debt service for the Town Hall Bond;  
283 and asphalt highway improvements. Ms. McMains asked about the road index rating and the roads that are  
284 scheduled. Mr. Odit said typically we try to do some main roads and some development roads each year. He  
285 discussed the cost benefit of paving roads that are adjacent to one another.

286  
287 The Selectboard and Mr. Odit continued discussion of the budget, including: gravel road improvements; update  
288 public works specifications; bridge improvements; and heavy equipment and vehicles. They discussed planned  
289 equipment purchases and the impact on the Highway Department costs and response. They also discussed  
290 staffing for the Highway Department. Mr. Odit and the Selectboard continued budget discussion with: park  
291 facilities; sidewalks; and funding sources. Ms. Mercer asked about funding for the sidewalk in the Center. Mr.  
292 Odit discussed the estimated costs and funding sources. He and the Selectboard discussed the matter further.

293

294 Ms. McMains said during the public hearing she expects someone will ask about the status of the pedestrian  
 295 bridge. Mr. Odit agreed, noting the State has made an offer to the Champlain Mills gas station to compensate  
 296 them for their projected loss of business. He said they should be on track to put it out to bid this winter, so  
 297 construction should begin next summer. He stated they have filed the right of way plans, which is a big step.  
 298

299 **7. Other Business.**

300 Ms. McMains asked for an update on the Castle Cemetery situation. Mr. Odit said he has not heard back from  
 301 Mr. Holden. He said they spoke before the meeting and he asked if he could try to mediate the situation. He  
 302 said we made the effort, Mr. Holden was there to put the corners in, but there was a discrepancy. Ms. McMains  
 303 clarified it is best to place them all at once. Mr. Odit agreed.  
 304

305 Ms. McMains gave an update on the Regional Planning Conference on Municipal Requirements and the  
 306 Opportunities for Vermont Energy Code and Above Code Programs. She said filing was voluntary, but it is now  
 307 mandatory. She said there is information available. Ms. McMains stated the idea is that any time you do  
 308 something that opens a wall, that piece of wall has to be more energy efficient to meet the code. She discussed  
 309 what is covered. The Selectboard discussed the new requirements. Ms. McMains explained the requirements  
 310 and the reasoning for the changes.  
 311

312 Ms. McMains stated she also listened to Energy Task Force Commissioners from all across the State talk to  
 313 Senators and Legislators. She said they will be looking for more funding to assist with weatherization. She said  
 314 the big topic was also net metering, noting Jericho has already been shut out because of the 4% cap. Ms.  
 315 McMains stated they are also going to discuss impediments to small scale local energy projects. She noted the  
 316 Agency of Natural Resources is also working on a State Idling Policy.  
 317

318 Mr. Nulty suggested the idea of creating a Jericho Community Development Corporation, which would be free  
 319 standing and wholly owned by the Town. He said it would get no money from the General Fund and the Town  
 320 would not be permitted to give it general obligation bonding. He discussed the benefits of creating the entity  
 321 and suggested it would be involved in projects like the Riverside Underhill Flats area. Mr. Nulty discussed his  
 322 reasoning for suggesting creating the entity. He stated there are a number of these entities in Vermont, though  
 323 they tend to be regional, noting there is no reason it could not be one Town. He discussed the matter further.  
 324

325 Mr. Nulty said the Rivers' property is another reason to create this entity. He said this could be a vehicle to be  
 326 involved in or influence the process. He further discussed his reasoning. Mr. Nulty said it could be a vehicle to  
 327 do other things as well, discussing some examples. He said he is raising the concept, but there are a lot of  
 328 details. Ms. McMains agreed it is an interesting concept. She suggested proceeding with caution.  
 329

330 Mr. Odit said Ms. Alexander asked the record to recognize the gallery will be having another catered event, so  
 331 they have submitted a catering application. He said the Selectboard doesn't need to approve it, but she wanted  
 332 to disclose it due to the relationship. The Selectboard members acknowledged the disclosure.  
 333

334 **8. Approve Warrants of 11/1/2013.**

335 The Selectboard members present signed the warrants.  
 336

337 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard entered Executive Session at 9:26 p.m.**  
 338 The motion passed 3-0.  
 339

340 On a **motion** by Ms. Mercer seconded by Mr. Nulty,, **the Selectboard exited Executive Session at 10:16 a.m.** on  
 341 11/16/13. The motion passed 3-0. On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard**  
 342 **adjourned at 10:16 a.m. on 11/16/13** The motion passed 3-0.  
 343



344 Respectfully Submitted,  
345 Amy Richardson

2  
3 **Selectboard Meeting**  
4 **November 21, 2013 at 7:00 p.m.**  
5 **Community Center, 329 Browns Trace Road**  
6

7 **Members present:** Catherine McMains (Chair), Tim Nulty, Kim Mercer  
8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Susan Bresee, Andrew Stevens,  
10 Corinne Thompson, Michael Morse, Chris Kiegle, J. Brooks Buxton, Lucas Miglionico, Stuart Alexander, Martin  
11 Fisher, David Tillotson, Peter Booth, Calvin Caswell, Mike C. Charter, Mike J. Charter, Jay R. Gettinger, Eliza  
12 Kramer, Matt Zambarano, Robert S. Bugbee, James Adams, Barb Adams, Leslie Nulty, Richard Dana, R. A.  
13 Bernstein, Todd Fischer, Mathew Champlin, Julia Blake, Bill Butler, Susan Harritt, Andrea Hook, Terence Hook,  
14 Jack O'Connor, Kristina Pierce, Don Foote, Lisa Morris, Lisa Rector, Jeff Rector, Michael Devereux, Olaf Verdonk,  
15 Louise Miglionico, Phyl Newbeck, Ray Houston  
16

17 The public hearing was called to order by Ms. McMains at 7:02 p.m.  
18

19 **1. Public Comment.**

20 Mr. Fischer asked if there is any intention of the Selectboard to deal with the intersection of Plains Road and  
21 Skunk Hollow Road. He said people coming off Skunk Hollow Road end up in the middle of the intersection and  
22 something needs to happen there. Ms. McMains said there was a discussion about that. Mr. Odit stated stop  
23 bars will be painted. He noted the intersection was also identified to be looked at in the Transportation, Bike and  
24 Pedestrian Plan. He asked those interested to attend the public meeting that will be held soon.  
25

26 **2. Appoint Jericho Center Library Trustee - Tom Dowd.**

27 Ms. McMains said Mr. Dowd was not able to be here. Ms. Adams stated the Library recommends Mr. Dowd to  
28 be a new Trustee and to serve as Treasurer.  
29

30 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard appointed Tom Dowd as a Library Trustee**  
31 **to an unfilled three year term that expires in 2015.** The motion passed 3-0.  
32

33 **3. Richmond Rescue FY15 Budget Request.**

34 Mr. Dana distributed materials to the Selectboard members. He stated he is the President of Richmond Rescue  
35 and a resident of Richmond. He stated Richmond Rescue has responded 32 times to Jericho this year, which is  
36 6% of their total call volume. Mr. Dana named Jericho residents who are on Richmond Rescue. He discussed  
37 Essex Rescue's role. He stated Richmond Rescue now has faster response times and improved skill levels. Mr.  
38 Dana stated they also have tighter fiscal management and their rosters are full. He discussed the levels of  
39 training and shift schedules, noting they have had zero out of service hours since July 19, 2011.  
40

41 Mr. Dana said the State is implementing new protocols. He discussed the new protocols and timing. He stated  
42 they are shopping for a new ambulance, which is estimated at \$168,000. Mr. Dana said they are considering  
43 instituting an advisory board. He said the request is similar to the 2013/14 request. He said \$6,000 is  
44 approximately \$6/resident. Mr. Dana discussed billing and insurance. He stated payroll is their largest expense,  
45 discussing the role of paid staff. He said they appreciate and thank the Selectboard for renewed and continued  
46 support of Richmond Rescue.  
47

48 Ms. McMains recognized that it is not the same organization it was a few years ago. She asked how many  
49 volunteers and paid staff they have. Mr. Dana said they have 58 total and 3 paid staff. He stated the paid staff  
50 work 36 hours a week. Ms. Mercer said the budget is very detailed, noting she does not see the total expenses,

51 although it looks like \$282,000. Mr. Dana said he doesn't have one with him. He stated it is a rough budget to  
52 meet the needs of the towns. Ms. Mercer said the first page shows \$362,000 and the last page shows total  
53 expenses of \$282,000. She asked why there is a difference or if this doesn't reflect all of their expenses. She  
54 asked what would happen to the difference. Mr. Nulty noted there is a net income line and below is how that  
55 money will be spent. Mr. Dana clarified they are diverting money into a capital fund to buy a new ambulance  
56 and institute the new protocols.

57  
58 Ms. McMains asked why the maintenance on the Freightliner is being reduced. Mr. Dana said that is the one  
59 they want to replace. Ms. Mercer noted insurance is going down a lot. Mr. Dana attributed that to a decline in  
60 worker's compensations insurance since they have not had any injuries in quite a while. Ms. McMains asked why  
61 no investment income is budgeted for 2014/15. Mr. Dana stated their new Treasurer is very well versed in  
62 accounting and is modifying the financial information to comply with accounting practices. He discussed the  
63 matter further.

64  
65 Mr. Nulty said he presumes \$7,100 is investment income and that they are not taking the money out of the  
66 investment vehicle. He asked what investments they have. Mr. Dana said they have conservative mutual funds.  
67 Mr. Nulty clarified they are maintaining cash balances. Mr. Dana agreed. Ms. McMains said she appreciates that  
68 they have someone who is trying to create a detailed budget. She said the Selectboard is trying to improve  
69 transparency. Mr. Nulty suggested the term net income should be replaced by operating surplus, given that they  
70 are a non-profit public service. Mr. Dana clarified the terminology is the issue. He said he would make that  
71 suggestion since they are not in the profit business.

72  
73 Ms. McMains asked if any questions from public. There were none. Mr. Dana noted Richmond Rescue has really  
74 good relations with Underhill-Jericho Fire Department and they have been very helpful on many calls. Mr. Nulty  
75 said Jericho is very lucky to have two good rescue departments. The Selectboard thanked Mr. Dana for his  
76 presentation.

77  
78 **4. Underhill-Jericho Fire Department (UJFD) FY15 Budget Request.**

79 Chief Fischer introduced himself and introduced First Assistant Chief Matt Champlin. He said they provided an  
80 explanation of budget, a budget, and a capital plan. He stated they are trying to stay fiscally savvy, with an  
81 average increase of 4% or less. Chief Fischer gave an overview of the budget, noting the following:

- 82 • Volunteer stipends and salaries increase \$500, noting they pay a stipend of \$10 per hour for calls.
- 83 • Career salary and benefits increase \$200, noting that is in line with the prior year increase for Town  
84 employees.
- 85 • Legal and accounting is level funded.
- 86 • Insurance increase \$1,000.
- 87 • Utilities remain level, noting they are very energy conscious.
- 88 • Vehicle maintenance increase \$1,000.
- 89 • Equipment maintenance is level.
- 90 • Fire prevention, education, and training remains level.
- 91 • Building maintenance decrease \$250.
- 92 • Firefighter safety equipment increase \$4,000, discussing the reasons.
- 93 • Communications is level funded, noting they received a grant to upgrade to narrow banding.
- 94 • New equipment increase \$4,000.
- 95 • Extrication, Hazmat, and miscellaneous remain level.
- 96 • Office equipment increase \$500.
- 97 • Capital expenditures increase \$452.
- 98 • Capital funding increases \$7,192, which is in line with their capital plan.
- 99 • A 6% increase each year for replacing trucks.

100 Chief Fischer said the big increase in equipment is due to upcoming replacements that will be needed. He stated  
101 the overall budget shows an increase of 3.6% with the amount funded by the towns to increase 2.4%. He said  
102 they have worked hard to control expenses.

103  
104 Ms. McMains said the Selectboard would like more detail in the future, similar to what Richmond Rescue  
105 provided. She discussed what information they would like. Chief Fischer clarified what they are looking for. He  
106 noted that each year they get an outside audit with more detail. Ms. McMains said more transparency is  
107 needed. Mr. Nulty asked when the audit will be completed. Chief Fischer said it was completed the end of  
108 October and they are waiting for the final report. He noted they also had an IRS audit this year, which they  
109 passed with flying colors.

110  
111 Ms. McMains said they want to make sure everyone is getting the most effective use of their money. She asked  
112 why there is no gravel pit income proposed. Chief Fischer explained there has never been a budgeted amount  
113 because they don't know how much gravel will be taken out. He said they do have a contract. He discussed  
114 gravel pit income over the years and how the money is used. Ms. McMains asked about rent. Chief Fischer  
115 answered the station is rented by Essex Rescue. He said there is a utility agreement where Essex Rescue offsets  
116 expenses during the day.

117  
118 Ms. McMains asked about rent for the Rivers' property. Chief Fischer explained it is in the future property tax  
119 for that property. He noted there is a reserve and that is where the rent and the gravel pit money go. Ms.  
120 McMains asked about the truck replacement of \$81,700, whether that is in a reserve fund or buying a new truck.  
121 Chief Fischer stated it is for both. He said it pays the payments for trucks and saves money for future purchases.  
122 Ms. McMains stated this is why a more complex budget would help.

123  
124 Ms. Mercer asked why there is no budget for donations or grants. Chief Fischer said they are not guaranteed.  
125 Ms. Mercer said the Town budget is based on the average history. She discussed the Town's approach to  
126 budgeting grants. She stated most fire departments rely heavily on grants, asking if UJFD applies for grants.  
127 Chief Fischer answered yes. Ms. Mercer asked if grants are not budgeted and the fire department gets a grant  
128 where the money goes. Mr. Nulty asked whether grants are usually earmarked. Chief Fischer said yes. He  
129 discussed the grant process for fire departments with the Selectboard members. He noted there is a match to  
130 the grants, discussing examples.

131  
132 Mr. Nulty asked how they would feel if the fire department realizes money from a grant and the Town stipulates  
133 how the money that is freed up is spent. Ms. Mercer discussed an example. Chief Fischer said currently the  
134 excess money goes into a reserve. The Selectboard and Chief Fischer discussed grant funding and budgeting  
135 further. Ms. McMains said in an effort to get more transparency, the Town Administrator and a Selectboard  
136 member would like to meet with the UJFD budget committee. Chief Fischer clarified what the Selectboard is  
137 asking. Ms. Mercer asked about the building payment line and whether it is for both buildings. Chief Fischer  
138 said yes it is for both. Mr. Nulty asked about the maturity. Chief Fischer answered in fiscal year 2016/17. Ms.  
139 McMains said it looks like renovations are scheduled right after the building is paid off. Chief Fischer stated that  
140 is the long-term plan.

141  
142 Ms. McMains stated the Selectboard received a letter from Mr. Brooks Buxton asking them to look into some of  
143 these fiduciary items. She said he asked whether we could think about looking into the fire department  
144 agreement for transparency. Martin Fisher said it is unclear what percent of the total budget this request  
145 represents. Ms. McMains stated the Town pays 60% of the fire department's budget. Mr. Nulty said Jericho's  
146 share would be 60% of \$540,000. Chief Fischer noted it would be less the income that is budgeted.

147  
148 Ms. Nulty stated she serves as Jericho representative for Chittenden Solid Waste District (CSWD). She said  
149 CSWD is a utility that also has high capital needs and sets up reserves. She explained when their budget is

150 presented to the Board they get an elaborate statement of funds in reserves and the expected transfers from or  
151 to reserves to show the flow of funds. Ms. Nulty suggested the Selectboard take a look at the budget  
152 presentation format CSWD uses as a possible format for the fire department in search of greater transparency.  
153 She said she does not know what documents the Selectboard receives; noting she does not know how they  
154 could make sense of the request without a balance sheet showing several years for an entity with significant  
155 capital needs to ensure requests are in line with whatever other resources there might be. Ms. McMains said  
156 that is a good suggestion.  
157  
158 Mr. Nulty asked about the fire department's independent outside auditor. Mr. Odit named the firm, who is also  
159 the auditor used by the Town. Ms. McMains asked if they discuss internal controls. Chief Fischer answered yes.  
160 Mr. Nulty asked the Chief to make sure the Town gets a copy of the report. Chief Fischer agreed. Mr. Booth  
161 asked if the fire department can give us a sense of what kind of grant money it has received in prior years. The  
162 Selectboard members discussed grant funding presented in the budget materials. Chief Fischer noted the  
163 department received approximately \$32,000 in fiscal year 2013/14. Ms. McMains asked what the grant money  
164 was for. Chief Fischer answered it was for narrow banding repeaters for radios.  
165  
166 Ms. Mercer asked whether that saved money in the equipment maintenance fund or communications expenses.  
167 Chief Fischer said each piece of equipment still needs maintenance, so it stayed the same. He noted they did  
168 not have to buy the equipment needed to meet the new standards. Mr. Nulty asked about the communications  
169 budget of \$6,500. Chief Fischer stated that is for purchasing and repairing radios. Mr. Nulty clarified grant  
170 funding will be for expenditures not listed. Chief Fischer said that is correct, noting maintenance remains the  
171 same, although the radios were changed from not narrow banding to narrow banding.  
172  
173 Mr. Zambarano asked if there is any reconciliation yearly about what is spent. Ms. Mercer stated that is what an  
174 audit is. Mr. Zambarano asked if the Selectboard gets a reconciliation of what was budgeted versus what was  
175 spent. Mr. Nulty said yes, a budget variance is provided. Ms. Mercer stated the budget the Selectboard was  
176 given looks similar to what is in the Town Report, showing actual and budgeted amounts. Mr. Zambarano  
177 clarified what is shown. Ms. McMains discussed the information the fire department provided. Mr. Odit noted,  
178 as mentioned earlier, we don't know which amounts were actual expenses versus which were transfers to  
179 reserves. Ms. Mercer stated it is a big budget and it needs more detail.  
180  
181 Mr. Verdonk said he hopes the Selectboard would take into consideration neighboring communities that have a  
182 fire department and how much they spend. He suggested some research be done to determine what other  
183 towns are spending, noting they have to replace trucks and do all the same things. Ms. Mercer stated some of  
184 that information will be provided during a later agenda item. Ms. McMains agreed that looking at other budgets  
185 will help improve transparency. Ms. Mercer stated over the last five years the fire department budget has  
186 increased by \$112,000, which is more than 25%. She asked about the increase. Chief Fischer said most was  
187 attributed to hiring employees in an effort to improve medical services. The Selectboard, Mr. Odit, and Chief  
188 Fischer discussed the timeline of hiring employees. Ms. Mercer noted the budget has gone up a lot in the last  
189 five years, more than the Town or school budgets.  
190  
191 Ms. Bresee said the fire department is a very capital intensive business. She asked as part of the detail that the  
192 Selectboard look at the financing and whether any of the liabilities should be refinanced. Ms. Mercer said that is  
193 a great question, noting the Town often refinances its debt. The Selectboard discussed financing and rates with  
194 Chief Fischer. Mr. Fisher asked about the impact of the Rivers' property sale. Mr. Nulty said the sale will not  
195 impact this budget. Ms. McMains stated it is our understanding that the proceeds would go into trust to benefit  
196 the fire department, noting there are deed restrictions. She said that is also why the Selectboard is looking for  
197 more transparency; they are trying to find the best use of taxpayer money. Mr. Nulty discussed the differences  
198 in a law versus a deed covenant. Ms. Rector said she looked at the deed today and didn't see the restriction.  
199 Mr. Nulty said it is in the transfer agreement.

200 Ms. Rector asked if we can get the trust document. Mr. Nulty said he doesn't think it exists yet. Ms. Rector  
201 stated the details are very important to see the structure and the parameters. Ms. McMains said the money  
202 from the sale will go into a trust. Mr. Nulty discussed how the trust would be administered. Ms. McMains said a  
203 member of the Selectboard and Mr. Odit will meet with the UJFD budget committee to get details and discuss  
204 future structure.

205  
206 Mr. Foote said it sounds like the Town is pursuing a more detailed budget from the fire department and they are  
207 receptive. Mr. Nulty agreed. Mr. Foote asked when the Selectboard might be able to provide more detail. Ms.  
208 McMains said it would be provided at a future Selectboard meeting. Mr. Nulty clarified there is not much  
209 question about the data, just reformatting and presentation. He said they would try to get it done before Town  
210 Meeting. Ms. Mercer recommended taking Ms. Nulty's suggestion and looking at the CSWD budget format.  
211 Chief Fischer asked whether they are on a fiscal or calendar year. Ms. Mercer said it is a matter of  
212 understanding how the money is flowing. Mr. Nulty recognized that CSWD is a larger organization with more  
213 paid staff. The Selectboard thanked Chief Fischer for his presentation.

214  
215 **5. UJFD Budget Questions/Concerns - Lisa Rector.**

216 Ms. Rector distributed materials to the Selectboard and thanked them. She discussed the origin of the issue,  
217 noting she heard Monday night the fire department will need significant funding for future costs. She said we  
218 want to feel good about our budget and provide for the fire department. Ms. Rector presented data and  
219 questions relating to UJFD, noting the following:

- 220 • Funding Sources: 95-99% taxpayer support; Jericho pays 60% of the budget and 100% of the property taxes  
221 on the Rivers' property; Underhill pays the other 40%.
- 222 • UJFD Agreement: signed in 1997 with an indefinite duration; may be terminated by either party with one  
223 year notice, as long as no "outstanding meeting on real property of the fire department". She noted we  
224 could have a forever agreement. She discussed issues and questions that a long-term agreement raises.
- 225 • Budgets: She went back to 1987, noting slight increases until the fire station in Underhill was rebuilt. She  
226 noted a peak after 9/11/2001, followed by really big increases.
- 227 • Comparisons: She compared UJFD total budget to nearby towns, noting UJFD is much higher. She also  
228 compared budget trends over time by town with a few nearby towns. She presented a graph of budget rate  
229 increases for a few towns, noting there has been almost an 80% increase since 2007.

230  
231 Ms. Nulty asked if the budgets being discussed are operating or combined operating and capital. Ms. Rector  
232 answered total. She discussed how the information was compiled. Mr. Stevens clarified whether the UJFD  
233 budget information is the total or the Jericho portion. He also asked whether the comparison is by acreage or by  
234 population. Ms. Rector discussed towns with similar fire department coverage areas and the information  
235 available. She also discussed call volumes and mutual aid. Mr. Nulty noted the information is interesting since  
236 Essex is much larger. The Selectboard and Ms. Rector discussed coverage area.

237  
238 Ms. Rector stated that she looked at the information many different ways in an effort to be fair. She discussed  
239 line item comparisons of expenses between several towns. Mr. Adams noted that Essex and Essex Junction are  
240 two fire departments, noting that Essex has half the population. Ms. Rector discussed call volumes. She noted  
241 UJFD stipends and salaries are significantly higher than the other towns. She said in 2012 Richmond had a  
242 higher truck replacement, but their overall budget was significantly lower. Ms. Mercer asked if the figures are  
243 actual or budgeted amounts. Ms. Rector answered the amounts are actual for FY12. She continued the line  
244 item expense comparison. She said from what she can see, it appears we pay for meetings, training, and call  
245 hours. Ms. Rector discussed what other towns do.

246  
247 Ms. Mercer asked if Richmond, Shelburne, Hinesburg, Essex, and Milton are all municipal operated. Ms. Rector  
248 said they are all municipal, but not all non-profit. She said it appears all of UJFD costs are significantly greater,  
249 except office expenses. Ms. Rector discussed: budget questions; bid process questions, asking about potential

250 conflicts; and cost per call comparison. Mr. Schuler asked whether it is the total budget. Ms. Rector answered it  
251 is the total budget to calls in the Town Report. She discussed questions that arose about responses or calls,  
252 noting call information is not in the Town Report anymore. She also discussed the UJFD Capital Plan, noting  
253 payments, purchases, and possible future renovations and purchases. Ms. Rector stated there is not a year UJFD  
254 is not taking on some debt. She discussed UJFD budget versus expenses comparison, noting that since 2000 the  
255 numbers have matched perfectly. She said there is nothing to indicate why that change occurred.

256  
257 Ms. Rector discussed: comparison of actual budget to audit numbers; and capital plan questions. She said the  
258 fire department is mortgaged until 2040. She asked if this means we can't do anything until then. Mr. Nulty  
259 asked if she was counting trucks as real property. Ms. Rector said we are looking at a long time where we  
260 cannot act and we have no say in whether they take a mortgage or not, which seems like a bad idea. She asked  
261 why the Underhill station needs such renovations. She then continued to discuss questions regarding the capital  
262 plan. Ms. Rector asked if grant opportunities are limited due to the status of UJFD. She noted the importance of  
263 getting more information.

264  
265 Ms. Rector asked several questions about the gravel pit. She also asked some overall questions to the  
266 Selectboard about the UJFD contract and oversight. She stated the big question is whether the contract with  
267 UJFD serves the best interest of the taxpayers. Ms. Rector said a holistic approach will require both towns  
268 involvement. Ms. McMains said she appreciates the time it took to prepare this presentation. Ms. Rector and  
269 the Selectboard discussed the information needed and some of the questions that were raised.

270  
271 Mr. Adams cautioned everyone about the comparisons, noting there are differences among towns and fire  
272 departments. He asked if these questions and comparisons will be discussed with UJFD. Ms. McMains said the  
273 Selectboard will. Mr. Nulty suggested including Ms. Rector in the meeting. Mr. Adams stated he would have  
274 liked to see answers prior to this meeting. Ms. McMains said that is why we are looking for more detail. Ms.  
275 Rector discussed the approach to the comparisons within the presentation.

276  
277 Mr. Booth asked why Underhill pays 40%. Ms. Mercer said there was recognition that the Jericho population  
278 had grown faster than Underhill's, so there is a 60/40 split on shared services. Ms. McMains noted the  
279 difference in population. Ms. Rector stated there used to be information on how many incidents occurred in  
280 each Town and they were pretty close to the split. She said she does not know if there was a change in the  
281 trend or not. Mr. Nulty noted the two towns now have an agreement on the split. Chief Fischer stated he has a  
282 detailed breakdown and he would be happy to provide it if they want it for the Town Report. Mr. Nulty said we  
283 would like the information and we will discuss what should be in the Town Report.

284  
285 Ms. Mercer noted the fire department used to have a lot of space in the Town Report, but the Town tried to  
286 reduce the cost of printing the report and perhaps too much condensing was done for the size of fire  
287 department budget. Mr. Rector asked why it has to be in the Town Report and if it could be put on the Town's  
288 website. Mr. Nulty said getting the information out is desirable, noting they will discuss how to do that. Mr.  
289 Fisher asked about the status of the proposed sale of the Rivers' property. Ms. McMains said the next item is a  
290 discussion of the Rivers' property. She said the status is UJFD has agreed to let the Town figure out what we can  
291 do. She said we are trying to come up with a way the fire department does not have to be landowners, but the  
292 residents and the Town feel good about. Ms. McMains stated UJFD are not going to act on any proposals until  
293 March 1, 2014 to give the Town time to work on it. Mr. Fisher asked what Mrs. Rivers' wanted. Ms. McMains  
294 said that is why a lot of people are here because they felt the fire department was on a different track than she  
295 wanted.

296  
297 **6. Discussion of Options Regarding Rivers' Property - Selectboard.**

298 Ms. McMains said there is an idea the Selectboard has discussed, but has not fleshed out yet that might be a  
299 useful tool for the Town to have. It would allow the Town to have input into how development happens. She

300 asked Mr. Nulty to discuss the concept. Mr. Nulty explained how this idea began. He said the Town thought it  
301 would be good idea to participate actively, noting the Town can make zoning laws, but that does not make  
302 development happen. He stated a mechanism that is fairly common is an Economic Development Corporation  
303 (EDC) or Community Development Corporation (CDC). He discussed the general principle, noting they are  
304 independent not-for-profit corporations that are wholly owned by the Town. Mr. Nulty stated the entity does  
305 not receive any taxpayer money and cannot tax or issue general obligation bonds backed by the Town. He  
306 noted there are quite a few around the State.

307  
308 Mr. Nulty discussed how they operate, noting the entity would be particularly interesting for the Flats area. He  
309 said that is not an immediate problem, but the Rivers' property discussion began to explode as a community  
310 issue. He said there is sentiment on both sides that the Selectboard should step in and help with a mutually  
311 agreeable solution. Mr. Nulty discussed the meeting held at the fire department on Monday. He said we don't  
312 have a solution, but we do know what we don't want to happen. He said we really want a practical discussion  
313 and not a fight. Mr. Nulty said because of the restraints of the transfer agreement, the fire department cannot  
314 go out and buy five ladder trucks, the money has to go into trust. He discussed how trusts work.

315  
316 Mr. Nulty said a solution would involve a transfer of property away from the fire department to either the Town  
317 or a community entity appropriately structured to handle it. He stated the mechanisms for that to happen need  
318 to be in place and the Town will start a process over the next six months to determine what will happen with the  
319 property. He discussed the planning steps. Mr. Nulty discussed ways to determine how the property will be  
320 used and possible ways to come to a consensus. He said people are willing to talk in an agreeable way.

321  
322 Mr. Nulty stated a CDC might be a convenient mechanism to facilitate the property transfer. He discussed how  
323 it might work. He also discussed various financing options. Mr. Nulty said once the ownership of the property is  
324 transferred, then the issue is what to do with the property. He discussed possible uses for the property, noting  
325 we have to get the process going. He said a CDC might be useful. The Selectboard discussed the matter further.  
326 Ms. Rector asked why the Town couldn't zone it so the property could not be developed. Mr. Nulty clarified  
327 what was being asked and whether she was opposed to using the property to solve the sewage problem. Ms.  
328 Rector said she can see the problems shifting from the fire department to the Town with a different not-for-  
329 profit entity. Ms. McMains said that is why we wanted to start this discussion. She said even if a CDC is only  
330 used for the Flats. She said the intent is for transparency.

331  
332 Ms. Rector asked about the decision making. Ms. McMains said it would have a public board, not the  
333 Selectboard. She said in terms of the fire department, what we hear from them is that they don't want to  
334 subdivide the land, they just want it gone. She said they will not restrict a developer, noting what they have  
335 heard is that no one wanted someone from the outside to come in and develop the property. Ms. Rector stated  
336 it seems like a whole lot of work.

337  
338 Ms. Nulty stated the Rivers' property is 125 acres. She said the Town of Jericho has accumulated a list of  
339 community identified needs that are not being addressed, noting the list includes: septic problems; lack of  
340 affordable housing; multimodal pathway incomplete; access to facilities; and others. She said a lot of these  
341 identified goals could be further developed and evolve into a multiple vision for that property, rather than  
342 sealing it. Ms. Nulty discussed possible uses on the property. She said taxes are high because we have a weak  
343 commercial tax base, noting there is a good opportunity for community engagement. She discussed the matter  
344 further.

345  
346 Mr. Adams asked if a CDC or EDC, by definition, has to have some sort of economic activity on a property. Mr.  
347 Nulty answered no, noting that is why it could be a CDC. Mr. Adams clarified if it could hold the property as a  
348 park or something. Mr. Nulty answered yes, saying that is not precluded. Mr. Devereux said these ideas all still  
349 cost \$1.5 million, asking where the money comes from. Mr. Nulty said that is a good question, noting the fire



350 department owns with property owner rights. He stated some kind of compensation for turning over the  
 351 property is in order, but the question is how. He said it amounts to \$40,000 a year in a \$600,000 budget. Mr.  
 352 Nulty said there are several ways of funding it that won't take money from general fund or require borrowing  
 353 money backed by the taxpayers. He said one option is that the fire department could loan the money to the  
 354 Town, discussing how. Ms. Mercer said assuming the property is worth \$1.5 million. Mr. Nulty agreed. Ms.  
 355 McMains said the Town would get an independent valuation.  
 356  
 357 Mr. Nulty stated he is using the amount for the sake of discussion. He discussed other possible ways the  
 358 transfer of property could occur. Ms. Mercer said she is looking for an affordable micro office and the barn  
 359 could house 20 or 40 micro-offices that could generate money each year. She said that is just one possibility and  
 360 there are many other ways. Ms. McMains said Mary Alice Rivers would love to have family rent house.  
 361 Someone said it sounds like a real opportunity for the Town to have some open land and get some income,  
 362 asking how that will happen and where do we go from here. Mr. Nulty said that is the job for next few months.  
 363  
 364 Mr. Zambarano asked if the property is sold to a developer, and the Town has been funding the property tax  
 365 payments and expenses since 1987, can the Town recoup some costs. Mr. Nulty said if the fire department had  
 366 been unwilling to talk that would have been leverage. He said those issues have become part of the  
 367 negotiations. Mr. Zambarano asked if there is a way for the Town to recoup some costs if the Town is unable to  
 368 acquire the property and someone else buys it. Mr. Nulty said he believes there will be a constructive  
 369 conversation and it will not come to that. Ms. Mercer said she has considered that too. She said the fire  
 370 department does not want to be landowners, it has been costing them money, and it will free up money when  
 371 they get rid of it; so she wondered why they would not deed it to the Town. Mr. Nulty said fire department  
 372 money is our money, which is why the discussion is productive.  
 373  
 374 Ms. Bresee asked if the property is sold after March 1<sup>st</sup> if the \$40,000 a year would come off the budget. Mr.  
 375 Nulty answered yes. Ms. Bresee asked if the direct question has been framed as to whether the fire department  
 376 would just transfer the land, setting aside how to manage it, how to develop it, and how to afford it. She said  
 377 she is hearing that \$40,000 is not a lot of money and is less than 10% of the budget, how is it not connected.  
 378 Mr. Nulty stated they are connected, but a large part of the budget has nothing to do with the land. Ms. Mercer  
 379 agreed they are connected. Ms. Bresee said forgetting the land, couldn't we find \$40,000 in that budget. The  
 380 Selectboard discussed the approach to the budget and this agenda item.  
 381  
 382 First Assistant Chief Champlin said regarding tax stabilization, for the first 20 years taxpayers funded some of the  
 383 taxes on the property, noting that Underhill paid some of those taxes too. He stated there is a whole lot of  
 384 property in Jericho in the tax stabilization program and some of that property is owned by some very wealthy  
 385 people. He said regarding taxes, starting in 2003 income from the gravel pit was used to pay some of the taxes  
 386 until the last year. First Assistant Chief Champlin stated the property is now self-sustaining as far as taxes are  
 387 concerned. He said Mrs. Rivers' put in the deed of the property that the property was to benefit the fire  
 388 department financially and to offset operating expenses. He said that was her wish and that is legally required.  
 389  
 390 Mr. Nulty said we are optimistic we are on a positive path and starting the planning process for a deal and the  
 391 use. Mr. Houston said people have mentioned vision for the future use, noting he would like to see as much  
 392 land as possible preserved as a park of sorts. He discussed other community's growth around parks and what  
 393 Jericho might look like in the future. He stated it would be nice to do outdoor recreation on the property, asking  
 394 the Town to try to preserve some land for the future. The Selectboard agreed.  
 395  
 396 Mr. Verdonk asked if the \$40,000 the Town will pay is in addition to the UJFD budget. Ms. McMains answered  
 397 yes. Mr. Nulty noted there may be room to reduce the budget. Mr. Verdonk clarified whether there may be a  
 398 way for taxpayers to pay less. Mr. Nulty said the idea is that the property could generate some income also and  
 399 the goal is that taxpayers don't pay more, and possibly pay less.

400 Mr. Adams asked whether the Selectboard will get other community members involved in the process and what  
401 the next steps would be. Ms. McMains stated there would be lots of community involvement in the process.  
402 Ms. Mercer noted the issue arose five days ago, so they are working on determining the next steps. Mr. Nulty  
403 suggested the consulting firm that has been involved in the Flats project might be approached to assist with this  
404 process also. Ms. Mercer said the Selectboard held an Executive Session on Saturday because this is a legal  
405 issue. She discussed the steps taken and meetings held during the week. She stated the fire department agreed  
406 to give the Town some time to work on this. The Selectboard discussed the matter further.

407  
408 Mrs. Thompson stated she knew Mrs. Rivers and her wishes were to try to keep the property open and she  
409 wanted it to benefit the fire department. She said the reason it was not in the deed was that she trusted the fire  
410 department to try to keep the land open, if at all possible. Ms. Adams thanked the Selectboard for keeping the  
411 resident's and the fire department's interests in mind and coming to this point optimistic about a solution. Mr.  
412 Nulty thanked the fire department for their attitude, which has been very cooperative. He said we can only  
413 make a deal with two willing partners and we have two. Mr. Foote asked what the next action is. Ms. McMains  
414 stated that Mr. Odit and one of the Selectboard members will meet with the fire department to discuss the  
415 budget and come back with more detailed information. Mr. Nulty said they will also pursue a planning grant and  
416 set up a community process. Mr. Foote asked if the first step should be to acquire the property. Mr. Nulty said  
417 all three efforts will be done simultaneously.

418  
419 **7. Approve minutes of 10/24/2013.**

420 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard approved the minutes of 10/24/2013 as**  
421 **amended.** The motion passed 3-0.

422  
423 **8. Other Business.**

424 Mr. Odit said he found out when he submitted our requisition for the planning grant for the Library that we  
425 need to adopt a Residential Anti-displacement Relocation Plan. He said that means that if we were doing  
426 anything with their funds that would result in a loss of affordable housing we would need to replace it. He  
427 stated we are not doing anything that would result in the loss of any affordable housing. Ms. McMains clarified  
428 it is just about affordable housing. Mr. Odit answered yes, noting it is federal money.

429  
430 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved adopting a Residential Anti-**  
431 **displacement Relocation Plan.** The motion passed 3-0.

432  
433 **9. Approve Warrants of 11/15/2013.**

434 The Selectboard members present signed the warrants.

435  
436 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard entered Executive Session at 9:34 p.m.**  
437 The motion passed 3-0.

438  
439  
440 Respectfully Submitted,  
441 Amy Richardson

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**Selectboard Meeting  
December 5, 2013 at 7:00 p.m.  
Jericho Town Hall, 67 Vermont Route 15**

**Members present:** Tim Nulty (Acting Chair), Kim Mercer

**Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Calvin Caswell, Martin Fisher, Livy Strong, Mike Kramer, Mathew Champlin, Chris Kiegle, Bill Sweney, Stuart Alexander, Matt Thomson, Don Foote, Chuck Lacy

The public hearing was called to order by Mr. Nulty at 7:02 p.m.

**1. Public Comment.**

Mr. Fisher asked about the status of the Vermont State Police (VSP) reimbursement for overtime. Mr. Nulty responded the Town got the money. Mr. Odit explained the reimbursement was received and it was voted at Town Meeting to apply it to the budget and reduce the tax rate.

**2. Warn Fiscal Year 2015 (FY15) Capital Budget Hearing.**

Mr. Odit stated the overall Capital Budget is \$1,139,648, noting \$115,907 is from Town reserve funds, \$356,952 is from grant funds, and the remaining \$662,789 is from the operating budget. He explained where the information will be available. Mr. Nulty clarified that approximately one-quarter of the funding comes from grants. Mr. Odit agreed.

On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard warned a public hearing on the proposed FY15 Capital Budget and Five Year Plan for Thursday, January 2, at 7:00 p.m., at the Jericho Town Hall.** The motion passed 2-0.

**3. Appoint Zoning Administrator.**

Mr. Odit said that by State statute the Selectboard, upon nomination from the Jericho Planning Commission (JPC) is to appoint a Zoning Administrator for three years. He said the JPC met and has nominated John Zwick. He noted that since his return, John's hours were reduced from 20 hours per week to 10 hours per week, which seems to be working well so far. Mr. Odit recommended the appointment. The Selectboard clarified the reduction in hours was okay with Mr. Zwick. Mr. Odit agreed.

On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard appointed John Zwick as Zoning Administrator for a three year term.** The motion passed 2-0.

**4. Accept Auditing Services for FY14, FY15 & FY16.**

Mr. Odit said the firm Fothergill, Segale & Valley has been auditing the Town since FY08. He said after discussions with the Town Treasurer, staff recommends continuing a contract with them. He discussed the reasoning, noting the contract estimate are amounts not to exceed and the bill is always less than that amount. Mr. Odit discussed an example of an estimate and the actual amount billed previously. Mr. Nulty noted the Treasurer makes a big difference. Mr. Odit agreed, noting the audit report should be available soon. Mr. Nulty suggested that a thank you is in order. Mr. Odit agreed it is a benefit for the Town and he will pass it along.

On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard approved a contract with Fothergill, Segale & Valley for auditing services for Fiscal Years 2014, 2015, and 2016 in amounts not to exceed \$14,000, \$14,500, and \$15,000, respectively.** The motion passed 2-0.

Mr. Champlin asked if any bids were obtained and when the Town last reviewed the services. Mr. Nulty said it was done in 2008. He said the firm has done a good job and they are a well-refuted firm, noting he has a good idea of what prices usually are. Mr. Champlin asked if there is a discount for a three year contract. Mr. Nulty said no, but there is a discount for the large amount of work the Treasurer does.

#### **5. Rivers' Property Discussion Continued.**

Mr. Nulty stated this is a discussion and the Selectboard is not making any decisions tonight. He said after the last meeting the Selectboard went into Executive Session and when they came out they concluded they would like to move forward in an organized negotiation with Underhill-Jericho Fire Department (UJFD) to potentially purchase the property in some manner. He said they appointed a committee to work with UJFD on this, noting the committee consists of Mr. Odit, Ms. Murray, Mr. Nulty, and Mr. Foote. Mr. Nulty stated they notified the Fire Chief of their intent. He said UJFD now needs to decide on their representation and begin meetings.

Mr. Nulty said the Town asked UJFD to suspend sale activities, which they agreed to do until March 1, 2014. He said they will try to reach an agreement by then. He noted the committee and UJFD have not met yet and it will be an open process. Ms. Mercer asked Mr. Nulty to address the issues of cost and taxes, including some ideas that are being considered. Mr. Nulty stated it will be a joint process that will involve eight or more people, so there will be lots of opinions and they will be open to comments.

Mr. Fisher stated he thinks it is an excellent idea. He said he got the impression at the last Selectboard meeting that the Selectboard was considering using the land without "developing" the land or without building a lot of homes, asking if that is correct. Mr. Nulty said that is a broad sense of the meeting. He said UJFD wants to be done with the land and the Town doesn't want it to go into the hands of a developer. He stated there is not a clear consensus yet on what people would like. Mr. Nulty said the first step is to gain control of the property and then we can take more time to decide on what we want to happen with it. He said the Town will set up a process to decide what to do with the land. He said there are a lot of ideas about that, many of which may have consensus, but he does not want to preempt that process. He asked people to talk freely about what they would like to see.

Mr. Champlin stated he would love to see a first class fire training facility for all of Chittenden County to be located on that property. He said the fire department has to travel to Pittsford or Vermont Tech, which they can't do because that would strip the Town of coverage. He discussed the need for such a facility in the region. Mr. Nulty asked if other fire departments would express that wish in writing. Mr. Champlin said absolutely, noting there would be grant money available. He discussed previous efforts to establish a facility, noting the difficulties. He discussed assistance they would need and a possible location for the facility. Mr. Champlin said that is one idea for a small piece of the property. Mr. Nulty said it is a worthy idea. Mr. Champlin said he would love to hear people's opinions. Mr. Fisher clarified whether they were referring to the land on the gravel pit side. Mr. Nulty said the gravel pit.

Mr. Lacy said we can look at this as something that is not going to be a complete net cost to the Town. He said there are a lot of things that could be done, like the fire training facility. He stated Jericho Center would benefit by having more people, discussing possible housing types and locations. Mr. Lacy said it would be great if we could address the long-term need to treat septic in Jericho Center, noting that hopefully there are some adequate soils on the property. He also suggested the property could help with the long-term plan for a path to MMU, discussing some possibilities if the Town owned the property. He said there is potential to get some income and not have the property be a complete net cost to the Town. Mr. Lacy stated there are some fabulous places by the river for recreation, discussing the area briefly. Mr. Nulty said those sound like universal ideas.

Mr. Sweney thanked the Selectboard and UJFD for working together on a constructive solution. He said everything discussed is excellent. He suggested engaging the guard to advance the discussion of a training

facility, noting they could be an important partner. Mr. Sweney also suggested developing the upper corner of the property on Plains Road. He stated the red barn at the gateway could preserve the character and recreational use of the property for the next generation. Mr. Nulty agreed that the speed with which everyone cooperated was gratifying. He discussed the joint meeting with UJFD, noting that everyone deserves kudos. He addressed Mr. Lacy's point about ensuring this is not a net loss, stating there are a lot of opportunities for that, he is stingy with public funds and would like to make it a net zero cost to the Town.

Mr. Fisher said the possibility of bringing in a Community Development Corporation (CDC) was discussed at the last meeting. Mr. Nulty stated the Town will probably will go forward with creating that, whether we use it or not. He said since that meeting they have met with a number of other people to make sure this made sense. The Selectboard discussed other CDCs, different uses, and examples. Mr. Nulty discussed the steps taken to start the process, noting it is very inexpensive and the CDC can be activated or not. He said it will be helpful to have the tool available. Ms. Mercer noted it is something we will most likely need again. Mr. Nulty discussed possible uses and benefits of a CDC. He said it may not be appropriate for this, but we are going to set it up. He said it will be nice to have it available when we start discussions with UJFD.

Mr. Kiegle asked how the Act 250 permit affects what the Town can do and if the Town will be responsible for closing the gravel pit. Mr. Nulty said probably yes, but they don't know enough yet. He said that will go into determining the price. Mr. Kiegle said he was just wondering whether everyone is aware of it. Mr. Nulty said the idea of an official community walk around is good. Mr. Fisher asked that Mrs. Rivers' wishes not be forgotten as we deliberate on what to do with the property. The Selectboard members agreed, noting there have been different interpretations of her wishes. Ms. Mercer clarified the Selectboard will not be making the decision alone, it will be a very public process. The Selectboard thanked everyone for participation in the discussion. The Selectboard discussed how to move forward with the CDC concept. Mr. Odit suggested requesting staff create the paperwork and put it on the next agenda for approval. The Selectboard agreed.

## **6. Review and Discuss Draft FY15 Operating Budget.**

Mr. Odit said at this point we have numbers from all of the outside agencies except for the county tax, which always comes in last. He said as it stands now, total spending is up 5%. He stated the amount raised by taxes is up 6.77%, which is directly attributed to what was done with VSP refund. Mr. Odit said the refund was applied as income to this fiscal year, so even if the budget remained flat we would have to make up that \$80,000. He said we are raising that money in addition to new money. He discussed the largest increases, which are as follows:

- Doubling the budget for gravel road maintenance to begin a program of rehabilitation so that gravel roads would be resurfaced every five to eight years and increasing work on ditches and replacing culverts.
- Health insurance is budgeted to increase by 10%, noting the premiums for the first six months of the year are known with the early release of premiums.
- Salaries increase by 3.5%, discussing increases in previous years.

Mr. Nulty said that is slightly more than Consumer Price Index (CPI). Ms. Mercer asked if this has already been discussed. Mr. Odit said no, suggesting the Selectboard may also want to discuss the gravel road budget and the allocations for outside agencies, since he included what they requested. Mr. Nulty asked about the logic behind the salary increase. Mr. Odit said it is the average and the increase was 2% in the prior year. Mr. Nulty asked what CPI has been. Mr. Odit said he would have to research it. The Selectboard and Mr. Odit continued the discussion about salary increases.

Mr. Odit said last year CPI was higher than what the Town budgeted. He noted the use of the VSP refund accounts for close to 50% of the tax increase going into next year. Mr. Nulty noted it is not lost money; we just got a break last year which needs to be made up. Mr. Odit agreed. Mr. Nulty stated if that wasn't done, taxes would have been higher last year. Mr. Odit said he is just explaining, so that people understand that it is not the

151 result of all new spending. Mr. Nulty noted we have already discussed the road thing. Ms. Mercer asked  
152 whether the income we received before Town Meeting is included in revenue. Mr. Odit stated it is at the top of  
153 page2, line 48 fund balance use for \$79,827. Ms. Mercer suggested making it clear by re-naming the item or  
154 footnoting it. Mr. Odit agreed. He and the Selectboard discussed how to ensure it is clear in the Town Report.  
155 They also discussed scheduling a budget working meeting.  
156

157 **7. Approve minutes of 11/7/2013 and 11/21/2013.**

158 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard approved the minutes of 11/7/2013 as**  
159 **written.** The motion passed 2-0. The Selectboard tabled approval of the minutes of 11/21/2013.  
160

161 **8. Other Business.**

162 Mr. Odit said he and Ms. McMains met with Mr. Champlin and Mr. Clark, Jr. to discuss the UJFD budget. He said  
163 they answered some questions and they are working on their budget presentation. He said the conversation  
164 will continue. Ms. Mercer asked if Mr. Clark, Jr. is an Honorary Chief. Mr. Champlin said yes, noting the  
165 composition of the Board of Directors and the roles in the process. Mr. Odit noted it was a very productive  
166 meeting. Mr. Champlin said the information is being revised and will be given to Mr. Odit to share, hopefully  
167 early next week.  
168

169 Mr. Nulty suggested UJFD consider a longer than normal entry in the Town Report. Mr. Odit agreed, saying  
170 since we are asking for an expanded budget, we will give them room to present it. Mr. Nulty noted they will also  
171 need room for the narrative. Mr. Odit agreed. Mr. Champlin asked the Selectboard to let them know if they  
172 want any further information to let him know. Mr. Nulty said he would like something more educational. He  
173 discussed some suggestions. Mr. Champlin said they would provide the information the Selectboard wants,  
174 noting they are not opposed to holding more public informational sessions if they can't get everything in the  
175 Town Report. The Selectboard, Mr. Odit and Mr. Champlin discussed possible information to be included in the  
176 Town Report regarding UJFD. They also discussed resources available.  
177

178 **9. Approve Warrants of 11/27/2013.**

179 The Selectboard members present signed the warrants.  
180

181 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard entered Executive Session at 7:51 p.m.**  
182 The motion passed 2-0.  
183

184 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard exited Executive Session at 8:10 p.m.** The  
185 motion passed 2-0.  
186

187 On a **motion** by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard adjourned at 8:11 p.m.** The motion  
188 passed 2-0.  
189

190 Respectfully Submitted,  
191 Amy Richardson

1 **Minutes 12/19/2013**

2  
3 **Selectboard Meeting**  
4 **December 19, 2013 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
6

7 **Members present:** Tim Nulty (Chair), Kim Mercer, Catherine McMains

8  
9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Paula Carrier, Amy Morse, Martin  
10 Fisher, Bob Schermer, Kristine Bickford, Joan Carson, Mike Kramer, Chris Kiegle, Richard Kemmer, Andrew Levi, Tim  
11 Johnson, Stuart Alexander, Mathew Champlin, Mary Morrissey, Jessica Alexander, Phyl Newbeck, Todd Fischer  
12

13 The public hearing was called to order by Mr. Nulty at 7:03 p.m.  
14

15 **1. Public Comment.**

16 Mr. Kemmer said he lives across from Mt. Mansfield Union High School. He said he is trying to keep up with the  
17 agendas and minutes of meetings. He asked about discussion of Docket 126-913. Mr. Nulty clarified this is about  
18 the sign. Mr. Kemmer agreed, noting he would have liked to be present for the discussion. Ms. McMains relayed  
19 her recollection of the discussion, noting the Selectboard appointed Mr. Odit as the contact person. Mr. Kemmer  
20 read from the minutes, stating he does not consider the matter lost and he is appealing the Development Review  
21 Board (DRB) decision. Mr. Nulty agreed, noting that the particular decision being discussed ruled against him.  
22

23 Mr. Kemmer said given the situation, he would like to elaborate on the status, asking if the Selectboard would  
24 prefer to reschedule. The Selectboard agreed there was a full agenda and would add the discussion to the January  
25 2, 2014 agenda. Mr. Kemmer said the minutes also stated there would be a letter sent to the court, noting that  
26 any correspondence should be copied to all interested parties. He said he didn't get a copy. Mr. Odit clarified it  
27 was a filing with the court. Mr. Kemmer said all interested parties should be copied, even on court filings. He  
28 thanked the Selectboard.  
29

30 **2. Discussion of Chittenden Unit for Special Investigations (CUSI) Budget Proposal.**

31 Ms. Bickford introduced Ms. Carson and Ms. Morrissey, noting they are here to respond to questions about their  
32 funding formula. She discussed a recently held open house, stating there is a link to the presentation that she will  
33 share. She stated they have implemented a lot of things the Select board requested at our last meeting,  
34 discussing those changes. Ms. Bickford discussed the funding formula, which is based on population. She said the  
35 formula has been in discussion, which is ongoing, noting the current formula was voted on by the majority.  
36

37 Ms. McMains suggested the formula should be a mix of population and case load, discussing her reasoning. Ms.  
38 Carson noted there are other considerations, such as the towns that contribute officers and other resources. Ms.  
39 McMains stated those towns are being reimbursed 75% of the cost. Ms. Carson disagreed. Ms. Bickford noted  
40 they were reimbursed last year, but they had not been for many, many years. She said since they weren't  
41 reimbursed for many years, that has been cushioning operations and offsetting for the towns that don't pay what  
42 they are billed. She said they are trying to come up with a formula that makes sense. Ms. McMains agreed that  
43 makes the most sense to include all costs and all funding sources.  
44

45 Mr. Nulty said he understands this is a tough thing to do and includes an element of judgment. He noted  
46 concerns have been raised by citizens lately because the Town contributes to several organizations. He said we  
47 are trying to develop a uniform way to receive and evaluate budgets for organizations we contribute to. Mr.  
48 Nulty stated the Town may ask them to use a template in the future.

49 Mr. Odit stated the issue this year is that in the past two or three years funding was based on population and CUSI  
50 is proposing a new funding formula. He said the formula would be phased in over three years. He said in Fiscal

51 Year 2015 (FY15) Jericho's budget went from \$5,600 to \$8,700 and fully phased in it will be almost \$15,000 in  
52 FY17. Mr. Odit stated that is a sizeable increase and the Selectboard will need to decide whether they will  
53 recommend those increases to the voters. He said what is driving that increase is guaranteeing a reimbursement  
54 of 75% to towns that donate police officers.

55  
56 Mr. Nulty said proper public finance shows all donations, funding, and expenses in order to see the whole picture.  
57 Ms. McMains said caseload needs to be considered too. Mr. Nulty discussed a similar organization's funding  
58 formula, noting there is no perfect answer. Ms. Mercer asked about the number of cases in Jericho over the last  
59 few years. Ms. Bickford answered one or two a year. Ms. Carson noted that does not mean there wasn't a  
60 Jericho resident involved in an incident in another town. Ms. Bickford and Ms. Carson discussed where cases  
61 originated. Ms. Bickford clarified there have been seven cases in Jericho since January 2012. She said she would  
62 leave their annual report with the Selectboard. Ms. Bickford discussed case locations.

63  
64 Ms. Mercer stated contributions requested are tripling for all outlying towns. She asked how other towns are  
65 responding and whether CUSI is going to their meetings. Ms. Bickford stated they have been attending meetings in  
66 the other towns and all the towns are approaching the matter differently. Ms. Carson clarified that until three  
67 years ago the formula was based on caseload and Jericho's contribution was more than it is now.

68  
69 Ms. Morrissey discussed the costs associated with cases, to investigate and to prosecute. She also discussed a  
70 situation where a false accusation was made and the benefits of CUSI. Mr. Nulty said we are not disputing the  
71 principle that we should contribute and recognize the difficulty in ensuring a fair funding formula. He said the  
72 Town would like to know more about the approach and the data behind it. Ms. Carson said it is helpful to have  
73 representation on the Board and discussed who is involved. She said they are trying to get a balanced view of the  
74 budget.

75  
76 Mr. Nulty clarified whether the several year increases is about rebalancing the contributions, not about the  
77 budget increasing. Ms. Bickford stated the budget has stayed the same and some towns are faring better than  
78 others. She said it is hard to incorporate everyone's opinions and their research is ongoing. Ms. Carson noted  
79 they have also approached the Legislature for other funding ideas, pointing out they do receive grants. Ms.  
80 McMains asked if they work outside of Chittenden County. Ms. Bickford said they are just for Chittenden County,  
81 noting it is the largest county and the largest caseload.

82  
83 Mr. Nulty asked if they have data they can share regarding the residency of victims or perpetrators. Ms. Bickford  
84 said they do. The Selectboard discussed what information would be helpful and views on funding. Ms. Bickford  
85 discussed some examples of cases and the amount of time involved. She also discussed the various agencies  
86 involved in the work. Mr. Nulty clarified the budget is flat. Ms. Bickford said yes, discussing what is included in  
87 the budget and the specialized training that is necessary. She also discussed a couple of examples.

88  
89 Ms. Mercer asked why CUSI is set up this way and how it began. She said it is unfortunate they have to fight for  
90 funding this way. Ms. Bickford stated CUSI was set up as a task force. Ms. Bickford and Ms. Carson discussed the  
91 creation of CUSI, noting they are the model for the rest of the state. Ms. Bickford discussed the differences in  
92 funding for the other agencies in the state. She invited the Selectboard to come see the unit. Ms. Carson  
93 discussed the reasoning for setting up CUSI, noting this is a better way to care for the victims. She also discussed  
94 the process they had to go through, noting the benefits of the current organization. The Selectboard and Ms.  
95 Bickford discussed the funding formula further. The Selectboard thanked the representatives from CUSI for their  
96 time. Ms. Bickford left the intergovernmental agreement and the annual report with the Selectboard members,  
97 noting they would forward the presentation link to Mr. Odit. Ms. Bickford thanked the Selectboard for their time.

98 **3. Update on Rivers Property Discussions/Approve Hiring Outside Appraiser.**

99 Mr. Nulty said the Selectboard appointed a committee after meeting a couple of times with the Underhill-Jericho  
100 Fire Department (UJFD) and attending the public meetings. He discussed how both sides agreed to negotiate and



101 the committee composition. He stated the initial task is to try to resolve the ownership of the property, not what  
102 gets done with the property. He said the property's use will be another job if the Town gains ownership and will  
103 include a public process. Mr. Nulty stated the first meeting was held on Monday and they made some progress.  
104 He said they issued a joint statement following that meeting, which is posted outside the door. He said they have  
105 made some progress in outlining the scope of the task, noting both left with homework.

106  
107 Mr. Nulty said the Town agreed to hire an appraiser to appraise the value of property, noting the Fire Department  
108 might do the same, which is common in these cases. He stated they both agreed the negotiations would be  
109 confidential to the committee members and their affiliations. He discussed the applicability of the State's open  
110 meeting laws, noting they don't strictly apply since only one Selectboard member is participating. He asked if  
111 there are questions.

112  
113 Mr. Fisher asked if the committee discussions are confined to the cost of the property. Mr. Nulty said no. Mr.  
114 Fisher asked if Mr. Nulty could talk about what else is being discussed. Mr. Nulty answered no. Mr. Fisher asked  
115 if there are discussions about what will be done with the property. Mr. Nulty said generally no and asked the Fire  
116 Department members present to confer with him for a moment.

117  
118 Ms. McMains said broadly speaking the approach is that the planning process will be very public. Mr. Nulty stated  
119 one of the items being discussed is the possibility that the Fire Department might retain some portion of the  
120 property for their use in the future, noting that has not been decided. Mr. Fisher asked if it came out of that  
121 meeting as vague. Mr. Nulty said no, discussing how the committee is interacting and how they are  
122 communicating with their affiliates. Mr. Fisher asked if both groups are hiring an appraiser, if that means the  
123 Town will pay for both. Mr. Nulty said the Town will pay for its own. Mr. Fisher noted the Town funds the Fire  
124 Department budget. Mr. Nulty said that was not addressed at the meeting. Ms. McMains noted other funding  
125 sources available. Mr. Fisher said his understanding was that there would be a larger committee that would  
126 discuss utilization of the property once ownership was taken. Mr. Nulty agreed, noting the use of the property  
127 has only been discussed hypothetically. He stated if indeed the Town or a Town entity gains ownership, then a  
128 deliberate public process will be implemented.

129  
130 Ms. Mercer stated it seems that although the arrangement has to be in place before we could seriously or  
131 specifically plan for the use of the property, what the property is used for could affect the price. She discussed  
132 her reasoning and an example. Ms. McMains stated she thinks the first step is to hire the Appraiser. Mr. Nulty  
133 agreed with Ms. Mercer's point. Ms. McMains and Mr. Nulty agreed first thing to do is to get an appraisal.

134  
135 Ms. Rector said it was suggested there was discussion that Fire Department might retain some portion of  
136 property, which would mean subdivision of the property. She said the property is under an Act 250 permit, so  
137 that would entail Act 250 hearings. Mr. Nulty agreed we would have to cross that bridge when the time comes.  
138 Mr. Fischer stated a Community Development Corporation (CDC) was mentioned and borrowing money. He  
139 asked if the CDC would need to be formed first. Mr. Nulty stated the Selectboard is going to form it tonight. He  
140 stated a CDC has legal authority to borrow money, but it will not be funded by or backed by the taxpayers. Mr.  
141 Fischer asked who backs it. Mr. Nulty discussed how a CDC works and could get funding.

142  
143 Mr. Houston asked how much an appraisal might cost and how extensive it will be. He asked about the overall  
144 cost and scope of the appraisal. Mr. Nulty said that is a fair question, but he does not know. He noted that Mr.  
145 Foote is an experienced Real Estate Broker and they would not employ an appraiser for an undetermined amount.  
146 Mr. Houston said it seems as if the land is going to have multiple uses and the appraiser might want to know what  
147 those uses will be. He discussed what information might be needed to initiate an appraisal. Mr. Nulty discussed  
148 how to determine what information is needed to make a deal. Mr. Houston returned to Ms. Mercer's point that  
149 the uses might need to be determined before an appraisal can be done. Ms. McMains stated there would be a  
150 request for proposal (RFP). Mr. Nulty noted the appraisal will determine what the property is worth on the

151 market, not just what it is worth to us. He discussed an example. The Selectboard discussed the appraisal matter  
152 further.

153

154 Mr. Odit said a fair market valuation of the property should cost less than \$1,000, discussing what is included in  
155 one. Mr. Nulty said the points relevant are the Act 250 obligations to close the gravel pit and any other zoning  
156 problems that may arise relating to the property transfer. Mr. Odit noted there are appraisal standards. Ms.  
157 McMains stated the Town would expect the appraisal to meet the standards. Mr. Nulty stated Mr. Foote knows  
158 what is needed.

159

160 Mr. Levi said he is an Appraiser, noting he does residential. He stated this is a complex property and the RFP  
161 needs to include some direction, noting they have to look at the highest and best use of the property. He said  
162 there are two very different values there. Mr. Levi said the Selectboard needs to decide what it wants the scope  
163 to be before it does an RFP. Mr. Nulty agreed, noting although he is not an expert, another member of the  
164 committee is. Mr. Levi cautioned the Selectboard to be very careful, discussing the differences between trained  
165 Appraisers and real estate professionals. He also stated the Selectboard should only work with Commercial  
166 Appraisers. He noted the cost will depend on the scope of the appraisal, noting this type may cost a lot.

167

168 Ms. Mercer noted that Mr. Levi is one of the Town's Listers. Mr. Nulty said we will ask the Listers' for advice on  
169 this, noting there would be a conflict of interest in asking the Listers to do it. Mr. Levi expressed concern that  
170 depending on what the scope is, there could be many different responses. Mr. Nulty agreed. Mr. Levi discussed  
171 the importance of determining the correct scope of work. Mr. Nulty said they would involve Mr. Levi in the  
172 process. Ms. McMains said the Town and UJFD would both ask for the same scope. Mr. Nulty agreed that we will  
173 try to. He said Mr. Levi's points are well taken.

174

175 Mr. Fisher said if the Fire Department and Jericho were to both own part of that land, the citizens of Jericho have  
176 some influence on the Selectboard regarding what to do on the property; but not on the Fire Department. He  
177 asked how that works. Mr. Nulty reminded everyone that the Fire Department owns the property now. Ms.  
178 McMains noted the use of the property would still fall under the DRB/zoning regulations. She discussed the  
179 process to change use of a property. Mr. Fisher said the only reason we are talking about it is that the Fire  
180 Department came out and made a statement about what they were going to do with the property. He expressed  
181 concern that the Selectboard is being a little naïve. Mr. Nulty stated that is not usually a term used to describe  
182 him.

183

184 Ms. Rector reiterated a point about the cost associated with the Fire Department's efforts on this property. She  
185 stated there are some funds flowing from the property, but this process can be very expensive. She discussed  
186 what costs are involved, stating that she would be very concerned about paying for things twice. Ms. Rector said  
187 she has real concerns about the Fire Department using taxpayer funds for expenses relating to the sale of this  
188 property. Mr. Nulty said her point is well taken in theory, but at the end of the day we are going to try to get a  
189 complete package. He said all negotiations have pieces to juggle and isolating pieces makes it difficult to have an  
190 effective negotiation. Ms. Rector suggested terms be included for repayment if the deal falls through, noting that  
191 failed real estate transactions can be very expensive. Mr. Nulty said the points are well taken.

192

#### 193 **4. Citizen Presentation on UJFD.**

194 Ms. Rector said she will present some citizen concerns related to UJFD, noting this builds on her previous  
195 presentation. She thanked the Fire Department for information they have provided, but said there are still many  
196 unanswered questions. She discussed ISO ratings and their impact on homeowner insurance rates, noting they  
197 are determined on a case-by-case basis. Ms. Rector stated we cannot assume an across the board reduction. She  
198 said she reviewed the ratings, discussing the different categories and whether a ladder truck is needed. She  
199 stated the personnel costs on the UJFD budget are very high compared to other departments in the area. Ms.  
200 Rector discussed training ratings and personnel spending, questioning what amount is spent on meetings versus

201 training. She said we are paying a lot for training that doesn't seem to be increasing the ISO rating, noting the  
202 need for additional information. She said she has a lot of questions from the previous presentation and from the  
203 new information obtained.

204

205 Ms. Rector noted the budget compares increases versus overall Town budget and homeowners insurance versus  
206 cost per household. She noted questions about the amount of money being spent without knowing how it is  
207 being spent. She asked what is in the best interest of the Town and discussed UJFD's position on benefits and  
208 disadvantages. Ms. Rector discussed concerns that are not being considered by UJFD. She also expressed  
209 concern about the ability to assess a financial burden on the taxpayers without taxpayer input. Mr. Nulty asked  
210 for clarification.

211

212 Ms. Rector explained there is not a bond issue that citizens vote on, so the taxpayers have no direct input. Mr.  
213 Nulty said that is also true for the Highway Department. Ms. Rector stated it is a transparency issue. She said the  
214 Town approves the budget on the number, not on the specific expenses. Mr. Nulty said we have the ability to.  
215 Ms. Rector agreed that we have the ability, but we have not. She discussed an example of capital expenditures.  
216 Mr. Nulty disagreed that this is not true for the last five or six years. The Selectboard discussed the budgeting  
217 process and what happens to budgeted money that is not spent.

218

219 Ms. Rector asked whether part of the difficulty is because there are two towns involved. Mr. Nulty said no. Ms.  
220 McMains discussed efforts to have joint meetings in the past and again in the future. Mr. Nulty said it is  
221 complicated and he does not claim the level of oversight can't be improved. Ms. McMains said the Selectboard  
222 members are not experts and don't know everything they need. She said it comes down to what the Town is  
223 willing to spend. Ms. Rector spoke about discussions she has had with other Fire Departments about equipment  
224 UJFD has. She said the Selectboard has so much to do, asking how they can provide adequate oversight. Mr.  
225 Nulty said we can get better at it, noting that elected representatives are responsible for operations of outside  
226 agencies they don't have control over.

227

228 Ms. Rector said, unlike other departments in Town, the Fire Department is separate, a private corporations and  
229 there are issues with that structure. She discussed some of the concerns with the structure. She stated Town  
230 Meeting Day is coming and she is concerned as a taxpayer that she doesn't know whether to feel good or bad  
231 about the Fire Department budget. Ms. Rector said the taxpayers need to understand the pros and the cons of  
232 the current structure. She proposed that an independent committee be formed to investigate information and  
233 develop information to share with the Selectboards of Jericho and Underhill. She discussed her proposal,  
234 including the reporting structure for a citizen task force or independent joint town committee to research issues  
235 with the UJFD and other resources to provide independent information. The Selectboard and Ms. Rector  
236 discussed the matter further.

237

238 Ms. Mercer noted the budget goes to print in a month. Mr. Nulty said it is not a final budget until it is voted on at  
239 Town Meeting. The Selectboard continued discussion with Ms. Rector. Mr. Nulty said it is a reasonable  
240 suggestion that the Selectboard will take into consideration. Mr. Champlin asked whether there is a committee  
241 that studies the Highway Department, the Town Office, or which roads to pave; or whether it is up to the  
242 Selectboard that we elected. He asked for a committee to study the Town's operations. The Selectboard and Mr.  
243 Champlin discussed the matter.

244

245 Mr. Champlin stated the Selectboard members are elected to represent the Town. He stated the Fire Department  
246 is extremely open with the Selectboard and is following the same processes that the Town follows. He asked  
247 whether there have been any questions the Fire Department has refused to answer. Mr. Nulty answered no,  
248 noting the relationship between the Fire Department and the Selectboard was really awful years ago, but both  
249 parties have worked to make it better with a deliberate plan. He said a lot of progress was made over the last  
250 several years. He stated that during the recent discussions about the Rivers' property, some legitimate questions

251 have been raised. Mr. Nulty stated the Fire Department has been forthcoming and willing to cooperate. He  
252 discussed recent efforts and gave the Fire Department credit for their role in cooperative discussions. He said the  
253 questions raised, about the Fire Department and Town departments, are legitimate.

254

255 Mr. Nulty said the Town does not fully examine every single piece of the Town every year. He noted which areas  
256 are currently under review. Ms. Mercer stated that when the Town wanted or needed to renovate the Town Hall,  
257 there were committees, meetings, and hearings; however, when the Fire Department wants to renovate the Fire  
258 Station there is no public process. She said both are funded by taxpayer money. The Selectboard discussed the  
259 Fire Department's Capital Budget process. Ms. McMains said we intend to have a renegotiation of the current  
260 operating contract with UJFD.

261

262 Ms. Rector suggested an independent review would help to improve the relationship between UJFD and the  
263 Town. Mr. Nulty agreed, noting that he hopes the Fire Department can see it as a positive opportunity. Ms.  
264 McMains discussed the issue of transparency. Mr. Nulty noted the review may not result in a decrease in the Fire  
265 Department's budget. Ms. Rector stated her goal is to understand the Fire Department better. The Selectboard  
266 and Ms. Rector discussed the matter further. Mr. Champlin apologized, noting he is passionate about the Fire  
267 Department and what he does there. He said he has spent more hours in the past several months on the Fire  
268 Department than with his family. He discussed the life and death decisions the members have to make each day.  
269 Mr. Champlin said he feels there is general support in the Town for what they do and they are giving answers to  
270 any questions that are asked. He told everyone to feel free to ask questions.

271

272 Ms. McMains discussed meetings held to further understand the UJFD budget. She said the Selectboard is asking  
273 the Fire Department to present at Town Meeting, so that people can ask questions in an appropriate manner and  
274 so they can explain what you are getting for your money. She said it is nice that people want to learn more.

275 Mr. Champlin welcomed the questions. Ms. Mercer said the Selectboard does too, inviting everyone to attend  
276 the budget meetings that are held prior to Town Meeting. The Selectboard discussed the budget process further.  
277 The Selectboard thanked everyone for their participation.

278

## 279 **5. Approve Formation of Community Development Corporation.**

280 Mr. Nulty discussed how the issue came about with the effort to create a vibrant Village Center in the Riverside  
281 Underhill Flats area. He discussed milestones in that area and steps taken. He stated the Town currently has no  
282 mechanism to play an active role in community development. Mr. Nulty said that is a common problem for  
283 towns. He stated there are entities that are used throughout the State and the Country to become proactive  
284 players while avoiding pitfalls, noting those entities are called Economic Development Corporations (EDC) or  
285 Community Development Corporations (CDC).

286

287 Mr. Nulty stated these entities are freestanding corporations, not always non-profit, with the majority of them  
288 controlled by towns, counties, regions, or states. He discussed how they operate and their advantages. He stated  
289 there are 40-50 of them in Vermont. Mr. Nulty discussed structure and examples. He said those he has spoken to  
290 have given the impression that they are generally considered successful and he hasn't heard of an absolute  
291 disaster, noting that some didn't do what was hoped. He discussed types of activities the entities have been  
292 involved in, noting the idea was originally conceived for the Flats property.

293

294 Mr. Nulty said the idea reemerged when the Rivers' property issue came up and it appeared this might be a  
295 mechanism to allow the community to take control of the property and allow for different uses of the property.  
296 He said if this is to be of any use, we should do it now to have the vehicle in place. He noted it might not be used,  
297 but there is no harm in creating one and not using it since it costs nothing. Ms. McMains agreed. The Selectboard  
298 discussed the creation of a CDC, including the need for transparency.

299 Mr. Houston asked whether the operating officers would be appointed or elected. Mr. Nulty stated they would  
300 be appointed by the Selectboard, but not at this time. He said when the CDC is activated the officers would be

301 appointed and it would all be done publicly. Mr. Houston asked if the Selectboard would have authority to  
 302 supersede the officials of the CDC. Mr. Nulty discussed the approval authority levels. Mr. Houston asked if this  
 303 new entity would reflect the wishes of the voters. Mr. Nulty said he hopes so, discussing the motivation of  
 304 creating such an entity.  
 305  
 306 Ms. Mercer asked Mr. Nulty to respond to Mr. Houston regarding the Rivers' property since that is why we are  
 307 filing the paperwork now. She asked him to describe the public process if we were to use this and it made the  
 308 most sense to purchase the property from the Fire Department. Mr. Nulty said the Selectboard would appoint  
 309 members to a Board who would agree to do that. The Selectboard discussed how the CDC would operate,  
 310 including discussing examples. They also discussed the oversight and reporting structure. Ms. McMains noted  
 311 that the other value in this is that it might be a more efficient way to obtain funding than the Town could. Mr.  
 312 Nulty said the CDC has to stand on its own, discussing examples of how it would operate.  
 313  
 314 Mr. Houston said the CDC would be promoting economic activity, so they might want to develop the land. He  
 315 asked who will stand up for the people who want a park. Ms. Mercer said it would be a Community Development  
 316 Corporation, not an Economic Development Corporation, discussing the differences. Mr. Houston asked how they  
 317 will get paid. Mr. Nulty answered the details have not all been worked out at the moment. Ms. McMains stated  
 318 there is no guaranty this will be used for the Rivers' property. Mr. Houston expressed concern that the CDC will  
 319 use every square inch of the property. Mr. Nulty stated this is not an Economic Development Corporation. He  
 320 said that is not what is intended here, although we are not averse to economic activity, but the purpose is  
 321 broader.  
 322  
 323 Ms. McMains said everyone wants to see the gateway preserved, discussing types of uses that might be  
 324 considered. She said the Town has to make a significant decision, but we need to preserve as much of the land as  
 325 possible. Mr. Houston stated he wants to preserve as much as possible, discussing what he would not like to see  
 326 on the property. The Selectboard agreed. Mr. Nulty stated the reason for this whole process is to avoid the  
 327 property being sold to a developer, discussing the reasons. Mr. Houston asked whether the Town has access to  
 328 State economic development people. Mr. Nulty answered yes, noting they will be involved, but they will not  
 329 provide funding. He discussed the reasoning for a CDC further.  
 330  
 331 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard approved the formation of the Jericho**  
 332 **Community Development Corporation with changes suggested.** The motion passed 3-0.  
 333  
 334 **6. Town Clerk Request to Discuss Delinquent Dogs and Liquor License Approval Process.**  
 335 Ms. Alexander provided the Selectboard with a list of dogs who have not been licensed. The Selectboard and Ms.  
 336 Alexander discussed the list and efforts made to ensure that all dogs are licensed. Ms. Alexander asked the  
 337 Selectboard for guidance on assessing fees and penalties when a dog goes unlicensed for a year or more. The  
 338 Selectboard and Ms. Alexander discussed the role of vaccinations in licensing. The Selectboard agreed that fees  
 339 for both years should be assessed. Ms. Alexander and the Selectboard discussed the fee structure and the  
 340 reasoning. They also discussed ways to encourage dog owners to license their dogs.  
 341  
 342 Ms. McMains asked what a Third Class Liquor License is. Ms. Alexander explained a First Class Liquor License is for  
 343 a restaurant or bar; a Second Class is to sell malt beverages at stores; and a Third Class is a separate license to sell  
 344 hard liquor that includes a hefty fee. She discussed the possibility of the Selectboard giving a blanket approval for  
 345 Liquor Licenses and being provided with a list of all applications and renewals, noting that if there are ever any  
 346 concerns with any applicant they can be removed from the list. McMains clarified whether the approval would  
 347 include catering. Ms. Alexander said it would only include First and Second Class Liquor Licenses. The Selectboard  
 348 and Ms. Alexander discussed the matter further.  
 349 Ms. McMains asked how the Selectboard would know whether they have met the training requirement. Ms.  
 350 Alexander stated that it would be indicated on the application. Ms. McMains asked what the advantage would

351 be. Ms. Alexander said it is administrative. She discussed fee income from licenses. The Selectboard agreed to  
352 allow the Town Clerk to send the renewal letters.  
353

354 **7. Discuss 2014 Town Meeting Articles.**

355 Ms. Mercer asked whether there is anything else that might be added. Mr. Odit said he hasn't heard of anything.  
356 The Selectboard and Ms. Alexander discussed a possible petition. Mr. Odit discussed the articles for Town Meeting  
357 and asked the Selectboard members if there was anything further that should be added. The Selectboard  
358 members did not have anything additional. The Selectboard discussed the articles. Ms. McMains suggested  
359 moving the discussion of the operating budget to another date. The Selectboard discussed whether to postpone  
360 the discussion or not.  
361

362 **8. Discussion of Draft FY15 Operating Budget.**

363 Mr. Nulty suggested a discussion about salaries. Mr. Odit discussed the reasoning for proposing a 3% increase,  
364 including the following: the increase in health insurance costs; the 2% increase the previous year; and the  
365 tremendous job the staff has done in the last year. He said he researched the Consumer Price Index (CPI) as  
366 requested and found that it was 1%, so the budget provided in the packet shows a 1% increase with another  
367 \$9,000 available for an additional raise if the Selectboard felt it necessary mid-year. He discussed his  
368 recommendation for salary increases further.  
369

370 Mr. Nulty said he respects the case made by Mr. Odit. He discussed his philosophy about raises, performance, and  
371 morale. He suggested creating a policy to create consistency in raises each year. Mr. Odit agreed. The Selectboard  
372 discussed what has happened in the past regarding salary increases with Mr. Odit. Mr. Nulty said he would  
373 approve a 3% increase, with the condition that we have a consistent approach in place before the next budget  
374 process. The Selectboard and Mr. Odit discussed the matter further. The Selectboard discussed whether a 2% or  
375 3% increase is appropriate and whether to have a reserve in case health care expenses exceed estimates. Mr.  
376 Nulty said knowledgeable about health care, noting that she finds it surprising the costs are going up for Town  
377 employees. Mr. Odit stated he would be happy to meet with her to discuss the matter further. The Selectboard  
378 and Mr. Odit discussed possible meeting dates for a budget working session and agenda items for January 2, 2014.  
379

380 **9. Approval of Grand List Errors and Omissions.**

381 Mr. Odit stated there are errors in two properties as a result of re-inspections that were inadvertently not  
382 incorporated into the Grand List and a third property there was a very late file of the Veterans' exemption. He said  
383 the corrections resulted in a cost of \$1,259 to the Town.  
384

385 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the changes to the Grand List**  
386 **for BB028 and TX184 and VT295 that are a result of an omission of the Lister's, pursuant to 32 V.S.A. Section**  
387 **4261 at a cost of \$1,259.** The motion passed 3-0.  
388

389 **10. Approve minutes of 11/21/2013 and 12/5/2013.**

390 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard approved the minutes of 11/21/2013 as**  
391 **amended.** The motion passed 3-0. **The Selectboard tabled the minutes of 12/5/2013.**  
392

393 **11. Approve Warrants of 12/13/2013.**

394 The Selectboard members present signed the warrants.  
395

396 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard adjourned at 9:55 p.m.** The motion passed  
397 3-0.  
398

399 Respectfully Submitted, Amy Richardson